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02 SCRANTON CITY COUNCIL MEETING

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08 Held:

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09 Thursday, July 14, 2005

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11 Time:

12 12:00 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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04 MR. GARY DIBILEO, COUNCIL PRESIDENT

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06 MS. JANET EVANS, COUNCIL VICE-PRESIDENT

07

08 MR. WILLIAM COURTRIGHT

09

10 MR. JOHN POCIUS

11

12 MR. ROBERT McTIERNAN (arrived where noted)

13

14 MARK WALSH, ESQUIRE, SOLICITOR

15

16 MR. JAY SAUNDERS, CITY CLERK

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18 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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01 MR. DIBILEO: Please stand for

02 the Pledge of Allegiance. Please remain standing for a

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

04 MR. COOLICAN: Mr. McTiernan.

05 Mrs. Evans.

06 MS. EVANS: Here.

07 MR. COOLICAN: Mr. Pocius.

08 MR. POCIUS: Here.

09 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Here.

11 MR. COOLICAN: Mr. DiBileo.

12 MR. DIBILEO: Here. I

13 believe that Mr. McTiernan will be joining us today,

14 but I understand he'll be coming a little bit late, so

15 we'll look forward to having him here.

16 If we can dispense with the

17 reading of the minutes, please, Mr. Walsh.

18 MR. WALSH: Yes, Mr. President.

19 Third order, there's no third order business other than

20 clerk's notes this afternoon.

21 MR. DIBILEO: Okay. And we'll ask

22 Mr. Saunders when he gets a chance to go over any

23 clerk's notes.

24 MR. SAUNDERS: Mr. President, I

25 just want to go over a couple of things with us quickly

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01 here. Next week's meeting will be at the regular time.

02 The 21st and the 28th, the meeting will be Thursday at

03 seven o'clock. The schedule changed for this week.

04 Daron USA, I spoke with Jim Finan.

05 The question was, Bill Fiorini had asked us if we can

06 be in touch with the county and actually talk to the

07 county about bringing the trucks in over the railroad

08 tracks on the back end of it.

09 There's a ton of issues there

10 bringing them over the railroad tracks. We have to go

11 through a -- where the department stores are in the

12 complex down there, but the one small issue there is

13 with the county, will the county allow us to go over

14 those railroad tracks and work with us.

15 Jim Finan, actually I never even

16 had to call him, he was kind enough after hearing it on

17 the meeting, called me and said that the county has

18 absolutely no problem helping us out in that

19 situation. He said just let him know what needs to be

20 done and he will do it.

21 This week and for the past several

22 months there has been an issue that we have dealt with

23 in the Council office that I just want to update

24 everybody on this, and Delores Ferrario that I talked

25 to last week, Council President DiBileo had talked to

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01 her last week, also this is about Euclid Avenue,

02 Farr Street, North Main Avenue and the McDade

03 Expressway.

04 The problem happening here is that

05 exiting from Euclid Avenue, there is -- the site

06 distance is absolutely terrible, you cannot see and you

07 cannot get out on Main Avenue.

08 The recommendation from the state

09 that came down is make Euclid Avenue a one way. I

10 think that there would be many objections to that, I

11 don't know, but we will have to discuss that at a

12 further time, but Delores Ferrario had talked about

13 making a no turn on red coming down the

14 McDade Expressway onto Main Avenue.

15 After talking with Mr. Parker and

16 Mr. Parker drawing a sketch of this whole thing, there  
17 still is a constant flow of traffic coming down. There  
18 will be a green light coming off the McDade Expressway  
19 onto Main Avenue, so the site distance is bad on  
20 Euclid Avenue.

21 When there's a green light on  
22 Main Avenue, there's still a bad site distance. He  
23 said the only thing that he could recommend to us is a  
24 one way.

25 He said the no turn on red sign  
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01 would still have a constant flow from Main Avenue  
02 there, so there's no break for Euclid Avenue pulling  
03 out on Main Street.

04 He is well aware that there is a  
05 tremendous problem up there, but he said the only way  
06 that he thinks that it could be done is by making  
07 Euclid Avenue the block between Dorothy Street and  
08 Main Avenue a one way. So, I think that's for further  
09 discussion. I think that we --

10 MR. DIBILEO: Mr. Saunders, I know  
11 we talked about this once before, and I think  
12 Mrs. Ferrario questioned whether or not the request  
13 from us, from City Council went into the state for the  
14 no turn on red at the Main Avenue Expressway Exit was  
15 actually done, and we do have it in writing the state's  
16 response.

17 Now, their response is that  
18 Euclid Avenue would be a one-way street going into  
19 Euclid Avenue up to Dorothy, and then the exit for say  
20 basically almost all of Tripp Park back to Main Avenue  
21 would come down to Farr Street.

22 Now, there's something that, you  
23 know, we'll have to give some thought to, whether we  
24 want to, you know, entertain that or not, because  
25 that's a big change from what people are used to for  
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01 many, many years.

02 But the fact is, we did request  
03 from the state that no turn on red, and they have given  
04 us their opinion on that matter.

05 MR. SAUNDERS: I did talk to  
06 Delores Ferrario about that. I actually read her the  
07 letter and gave her the dates that we had sent them  
08 out, and also the responses back from PennDOT on this  
09 issue, and, yes, that is PennDOT's recommendation is to  
10 make that a one way.

11 MR. DIBILEO: And we might add

12 that if anybody from the Tripp Park area watching our  
13 meetings might be in favor of that change, the one way  
14 entering Euclid and the one way exiting out to  
15 Main Avenue on Farr Street, please let us know,  
16 otherwise, you know, we'll be talking about it in the  
17 future. Thank you.

18 MR. SAUNDERS: That's all I have,  
19 Mr. President.

20 MR. DIBILEO: Okay. Thank you,  
21 Mr. Saunders. Appreciate that.

22 MR. WALSH: Fourth order.  
23 Citizen participation.

24 MR. DIBILEO: We have a sign-in  
25 sheet, and the first person on the sign-in sheet is  
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01 Surai Padu. And for the record, please give your name  
02 and address.

03 MR. PADU: My name is Surai Padu.

04 I live at 1255 Loomis Avenue, Taylor, Pennsylvania.

05 I'm vice-president of Northeast Credit and Collections  
06 with responsibility for collection floor management and  
07 corporate training.

08 I've been with NCC for about three  
09 and a half years. In my job capacity, I'm responsible  
10 for managing a staff who collects for the City of  
11 Scranton delinquent real estate tax and waste  
12 delinquent accounts.

13 I'm here today to briefly identify  
14 the work currently performed by NCC for the City of  
15 Scranton. NCC books delinquent tax and waste fee  
16 accounts.

17 We send a series of collection  
18 letters and make phone calls in an attempt to collect  
19 money due to you, the City of Scranton.

20 We have eight to ten dedicated  
21 collectors for this function. Our collectors set up  
22 monthly payment plans for those homeowners who simply  
23 can't afford to pay the entire delinquent tax or waste  
24 fee, and we monitor these payments for broken promises.  
25 NCC processes in person payments.

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01 We post and process mail payments, we perform tax  
02 searches for properties that are being sold or  
03 refinanced.

04 NCC also provides monthly payments  
05 for the city on what is collected -- on what is  
06 collected together with a transmittal report.

07 All services performed by NCC are

08 funded by a referral fee added to the base tax garbage  
09 delinquency, plus city penalties, and these services do  
10 not cost the City of Scranton any money, but rather NCC  
11 services are paid in full by delinquent taxpayers as  
12 payment is collected.

13 I'm proud to be a part of the NCC  
14 management team and the job we do for the City of  
15 Scranton. I know many Council have been to our company  
16 to tour the facilities and meet our employees, and many  
17 of them who are current residents of the City of  
18 Scranton, and I thank you for your visit. It means a  
19 lot to our work force. As I said, many of them who are  
20 City of Scranton residents that the elected  
21 representatives of our clients supports the work we do.  
22 Thank you.

23 MR. DIBILEO: Thank you very  
24 much. Patricia Cobb.

25 MS. COBB: My name is Patty Cobb,  
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01 I'm employed at 120 North Keyser Avenue, Scranton,  
02 Pennsylvania.

03 Mr. DiBileo, Mrs. Evans,  
04 Mr. Courtright and Pocius, thank you for the  
05 opportunity to speak today.

06 I'm executive vice-president of  
07 NCC. Surai has already described to you the work his  
08 team does for the City of Scranton.

09 To put this work in concrete terms  
10 as far as dollars and cents, NCC has collected since  
11 May 1999, we've collected \$7 and a half million in  
12 delinquent waste fees and remitted in excess of  
13 \$6 million in waste fees to the city.

14 Since June of 2000, we've  
15 collected \$8.35 million in delinquent real estate  
16 taxes, and remitted \$6.7 million in these delinquent  
17 taxes to the city.

18 And some NCC has provided over the  
19 past five years in excess of \$12.7 million to the City  
20 of Scranton treasury.

21 To echo Surai, our company is very  
22 proud of the numbers, and we're justifiably proud that  
23 we can collect this money on behalf of the City of  
24 Scranton.

25 I also want to briefly talk to  
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01 Council about NCC as a corporate citizen of Scranton  
02 who've made a commitment become a major employer within  
03 the city limits.

04 We currently have 145 employees.  
05 Our starting salary is between two and four dollars  
06 above minimum wage, and many of our employees average  
07 in excess to \$15 to \$20 an hour with incentive pay.  
08 They're good jobs in the  
09 City of Scranton. NCC has become a regional national  
10 player while trying to retain local clients. We've  
11 received the Greater Scranton Chamber of Commerce Small  
12 Business Of The Year Award in 2004.  
13 This prestigious recognition is  
14 awarded by an independent panel of judges made up of  
15 all the local chairs of the business departments of six  
16 universities in the Scranton and Wilkes-Barre area.  
17 NCC has been featured in local  
18 regional and national newspapers and trade articles,  
19 including the Northeast Business Journal,  
20 Collection Industry, which is a national collection  
21 agency publication, and CNN Money, just to name a few.  
22 Our company employees support  
23 local restaurants and business. We're opened 65 hours  
24 a week. We have people ordering lunch, dinner,  
25 breakfast. The restaurants and delivery people come to  
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01 our shop all day.  
02 We support local charities. We  
03 sponsor annual fund-raisers. Our employees have  
04 adopted several families through the Women's Resource  
05 Center to help at holiday time.  
06 Our company funds an annual  
07 shopping spree for 50 to 75 children through  
08 Sister Adrian and the Friends of the Poor. Our  
09 managers and employees shop with these kids and enjoy a  
10 company-sponsored lunch after.  
11 We support all the churches in our  
12 surrounding area. We accept employment referrals and  
13 hire from local human service agencies. We maintain a  
14 strong presence in Scranton. We provide jobs to city  
15 residents and we support our client, the City of  
16 Scranton.  
17 We thank past and present  
18 administrations for supporting NCC and its employees.  
19 We thank past and present Council members for  
20 supporting us, and we pledge to continue to work hard  
21 for the City of Scranton and its taxpayers to collect  
22 money due to the city. Thank you.  
23 MR. DIBILEO: Thank you. Excuse  
24 me. Patty, may I ask you just one quick question?  
25 Can you tell me when your current contract with the

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01 city runs?

02 MS. COBB: The current contract

03 with the city expires the end of this year.

04 MR. DIBILEO: 12/31 of '05.

05 MS. COBB: Just one other

06 question, is the City of Scranton the only account or

07 the main account that you handle?

08 MS. COBB: No, actually at this

09 point, Mrs. Evans, and I said this is -- we've become a

10 national company. The City of Scranton is an important

11 client of ours, but it represent about 6 percent of our

12 revenue.

13 So, from that -- every client is

14 important, so it's a difficult question, but, no, it's

15 not a substantial part of our business. It is -- it's

16 our largest local client, if that helps.

17 MS. EVANS: Yes. Thank you.

18 MR. DIBILEO: Thank you.

19 Leo Sandy. Maryanne LaPorta.

20 MS. LAPORTA: Hello. This is very

21 impressive, and I'm ashamed to say that I haven't been

22 to council meetings, and I think it's the place to be.

23 My name is Maryanne LaPorta, I'm a

24 director of the Children's Advocacy Center of

25 Northeastern Pennsylvania, whose mission is to serve

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01 child victims of abuse and neglect in our community and

02 throughout Northeastern Pennsylvania. Our location is

03 at 315 Colfax Avenue in the School of Nursing Building

04 at CMC.

05 My purpose for coming today is to

06 attest to the value that we perceive in the presence of

07 Southern Union and corporations of its magnitude in our

08 community, corporations that have a community

09 conscience and who help 501C-3's, as we are, to sustain

10 themselves and to grow in their services in the

11 community.

12 I was asked to represent the

13 center on behalf of the board of directors, our medical

14 team, our forensic interview team and the child Victims

15 of abuse and neglect whom we serve to tell you that at

16 a moment of financial crisis in our growth and

17 development, we turn to Southern Union for substantial

18 assistance, and between 2003 -- in 2003 and 2004, we

19 were given \$65,000 to continue to grow our services.

20 The reason for this growth was a

21 good one, because of our ambitious child abuse



22 prevention education program, the referrals were  
23 increasing and we were able to see many more children  
24 than we had ever seen before.

25 We had to grow the services, as  
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01 you would well imagine, and we went to them humbly but  
02 begging for support. And without fanfare, without  
03 press releases, without photo-ops, they examined the  
04 proposal very closely, they came to the center for a  
05 site visit, they met the team, they learned the  
06 protocol and they understood the statistical  
07 implications of what their assistance would mean for  
08 us.

09 And then in addition to that, they  
10 engaged the employees that they have to learn what we  
11 were all about, employees gave contributions,  
12 Southern Union matched it.

13 So, I'm here to attest to the fact  
14 that in a very meaningful, helpful supporting way,  
15 Southern Union was able to help the  
16 Children's Advocacy Center advance in its mission to  
17 medically and forensically interview child victims of  
18 abuse and neglect.

19 There are many corporations who  
20 help us. I consider them community conscience filled,  
21 and I just would urge our representatives to be sure  
22 that in view of the big picture, the fact that their  
23 presence in our city could lend incredible credibility  
24 and integrity to our city, that in and of themselves  
25 they could draw great promise and potential to our  
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01 city, and I would urge our representatives to negotiate  
02 in whatever means you find available, but in a very  
03 positive, proactive, friendly respectful manner, and I  
04 guess that's basically my message. Are there any  
05 questions? Thank you.

06 MR. DIBILEO: Thank you very  
07 much. Stan Narsavitch.

08 MR. SPINDLER: Mr. DiBileo, Stan  
09 was nice enough to switch with me, because I have to  
10 get back, I'm on my lunch hour.

11 MR. DIBILEO: Sure.

12 MR. SPINDLER: I want to thank him  
13 for the chance to speak before him.

14 MR. DIBILEO: Your name and  
15 address, please.

16 MR. SPINDLER: Les Spindler,  
17 Bullwer Street, Scranton, PA. I was going to talk

18 about this later, but since the lady before me brought  
19 it up, I have a couple questions about Southern Union.  
20 In the paper it said they were  
21 supposed to move in a few Saturdays ago, does anyone  
22 know if they did move in, because I didn't anything in  
23 the paper, on the news.

24 MR. POCIUS: They're moved in. I  
25 think they moved in over last week, from what I heard.  
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01 MR. SPINDLER: Okay. Next  
02 question is, anybody know when that building is going  
03 to be done, because I know they're not working on it.  
04 I go by that building every single  
05 day, and there's nothing at all being done. They say  
06 all that has to be done is the outside, there's no one  
07 there working on that building.  
08 I mean, it's tying up two lanes of  
09 traffic on one of the busiest streets in the city, and  
10 if you go by now, there's absolutely nothing being done  
11 to that building.

12 MR. DIBILEO: Don't know.

13 MR. SPINDLER: Can we find out if  
14 and when it's ever going to be finished?

15 MR. DIBILEO: I'm sorry, Les.  
16 We're not aware of that.

17 MR. SPINDLER: Well, I am. I  
18 mean, I go by it every single day. I mean, it's  
19 supposed to be downtown development, but the only thing  
20 that's developing is traffic in the city.

21 Okay. Next thing, something I  
22 spoke about here for years, a problem in front of my  
23 house, sidewalks getting flooded whenever it rains, and  
24 I've still yet to hear anything.

25 MR. DIBILEO: Mr. Saunders, do you  
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01 have any information for Mr. Spindler?

02 MR. SAUNDERS: Nothing yet on  
03 that.

04 MR. SPINDLER: I mean, if I don't  
05 hear something soon, I'm just going put something there  
06 and talk matters into my own hands, and maybe I'll get  
07 some action that way.

08 Next thing, two Sundays ago I was  
09 driving by the Novembrino Complex, there were four  
10 children standing out there holding their towels  
11 looking in the fence, they didn't have money to go  
12 swim. It broke my heart.

13 This is for Mr. Pocius and

14 Mr. McTiernan, if he shows up today. If either one of  
15 you have a heart, you'll vote to override the mayor's  
16 veto, thinking of these young children who couldn't  
17 afford to swim, And it's the mayor's fault that they  
18 can't swim.

19 Next thing, I asked a couple times  
20 about the line painting, the corner of Franklin and  
21 Spruce and going into the Steamtown Mall, so far the  
22 lines haven't been painted, and two weeks ago it was  
23 said that the mayor pulled people off line painting to  
24 hang his signs, the summertime signs.

25 I think Mayor Doherty has his

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01 priorities confused here. He pulls people off doing  
02 something that's good for public safety to hang signs  
03 to advertise what we're doing for the summer. I think  
04 he better get his priorities in order.

05 MR. COURTRIGHT: Jay, we asked

06 about a -- I asked about a schedule for line painting,  
07 did we get one?

08 MR. SAUNDERS: I talked to

09 Pat McMullen. I don't know if I went over this last  
10 week, but I talked to Pat McMullen about it, he said  
11 they were re-painting some of the things downtown, a  
12 couple of the lanes, and also on Keyser Avenue by  
13 the --

14 MR. COURTRIGHT: Could they give

15 us like a time line on when they're doing what, because  
16 I --

17 MR. SAUNDERS: I did ask him. He

18 said that the problem with the time line if it rains,  
19 they're off the time line. I said just give us a  
20 ballpark figure, he said he would do that.

21 MR. POCIUS: North Washington and

22 Linden was done.

23 MR. SPINDLER: We haven't had much

24 rain lately, I know that.

25 MR. COURTRIGHT: We're asking,

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01 Les. That's the answer we got, Buddy.

02 MR. SPINDLER: Thank you. I think

03 it's a public safety issue, the two spots I'm talking  
04 about.

05 Lastly, last Saturday's paper

06 there was a quote by the mayor, Our oath as elected  
07 officials is to put the people first, not a political  
08 agenda.

09 Well, that's funny coming from a

10 man that wasn't there when the troops came home, wasn't  
11 there when the people in the Plot Section got flooded,  
12 didn't show up anywhere until the last four years now,  
13 he's charging people in the city a dollar to swim and  
14 more at Nay Aug, he's costing the people of this city  
15 hundreds of thousands of dollars appealing the  
16 decisions with the unions, does this sound like a man  
17 that's for the people of this city? I don't think so.  
18 I think Mayor Doherty is a little  
19 confused. You didn't see him for almost four years,  
20 and now you see him everywhere. I was at a picnic over  
21 the weekend, he was there for both nights.  
22 Mayor Doherty is like a leap year, he only comes around  
23 once every four years. Thank you.

24 MR. DIBILEO: Stan Narsavitch.

25 MR. NARSAVITCH: Stan Narsavitch

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01 from Farr Street in Scranton, another forgotten  
02 neighborhood.

03 I'd like to speak to a subject

04 that I talked about last week or last meeting, and then

05 Mr. Pocius used a very broad brush to say that the

06 people that come to this podium should have their facts

07 with them when they come here, and I spoke about a

08 meeting up at Nay Aug Park, and I went through all of

09 that, and then I said that there was one thing that I

10 cannot verify, and that is Mrs. Shedlock's article

11 about the center not closing.

12 When I Emailed Mrs. Shedlock a

13 complaint about the way articles were changed or

14 censored, she told me that occasionally the metro

15 editor will make changes, so I do not know if

16 Mrs. Miller is quoted accurately.

17 Now, my proof, Mr. Pocius, my fact

18 is an Email from Mrs. Shedlock, and if you want to see

19 that after the meeting, you're entitled to see it, and

20 I'll read it for you, it's, Mr. Narsavitch, June the

21 20th, 2005, It is standard practice for stories to be

22 occasionally altered during editing process. If you

23 have further questions, you can address them to the

24 metro editor. I won't mention his name. Lynn

25 Shedlock.

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01 I did not attack Ms. Shedlock.

02 My point was to the metro editor, not to her. Now,

03 your broad brush said that we were attacking, your

04 words, Mrs. Shedlock. I did not do that, and I take

05 objection to it.

06 Now, the other thing that I wanted  
07 to bring up was I understand that there are  
08 approximately 6,000 children in the school district  
09 that get free lunches, and that must be some guideline  
10 that the school district is set up for them to receive  
11 those lunches, I would imagine it's a monetary thing.

12 MS. EVANS: Yes.

13 MR. NARSAVITCH: Okay. If they  
14 qualify for free lunches because of monetary problems,  
15 and this is minority families and low income families,  
16 where are you, Mr. Pocius, Mr. McTiernan, and Mr.  
17 Doherty, against those people, those children? They  
18 have nothing to do with this thing. All they want to  
19 do is swim in the summertime.

20 Now, if there are qualified for a  
21 free lunch, then by God almighty they must be  
22 qualifying for a free swimming. I do not understand  
23 that. How could they not be qualified to swim free?  
24 Your silence is thundering, believe me.

25 I am going to say again, I don't

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01 know why these three men here, Mr. McTiernan, who is  
02 not here, Mr. Pocius, and Mr. Doherty are so against  
03 minority family children and low income family children  
04 that won't allow them to swim free.

05 Now, I heard people come to this  
06 podium and spout out about not being raised properly  
07 and not teaching their children properly, and through  
08 that whole rigmarole, well, I'd like to ask those  
09 people would they like an eight or nine-year-old child  
10 to go down to the bus station and shine shoes to make  
11 money to go swimming?

12 Yeah, I know that's ridiculous.

13 Or do they want them -- how about slate pickers? Years  
14 ago they had eight or nine-year-old kids picking slate  
15 in the breakers, is that what you want an eight or  
16 nine-year-old to do in order to go swimming?

17 I think you've got to exercise and  
18 review the whole matter, in my opinion. I think it's  
19 absolutely ridiculous. Thank you.

20 MR. DIBILEO: Thank you,

21 Mr. Narsavitch.

22 MR. POCIUS: Mr. DiBileo, I will  
23 respond to his comments on my time. I didn't want to  
24 get into a tit for tat at this point in time.

25 MR. DIBILEO: Okay. Sure.

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01 Don Constantini.

02 MR. CONSTANTINI: My name is Don  
03 Constantini. I live at 129 Lakeview Avenue  
04 in Scranton. I'm the owner of James W. Cox Sheet Metal  
05 up on East Mountain.  
06 We have been in business since  
07 1922, which is 83 years. We've been in business as a  
08 family-owned business. We are a totally union shop.  
09 We employ 17 sheet metal workers and one carpenter.  
10 We are also a large taxpayer to the City of Scranton on  
11 our properties and our wage taxes.  
12 Our union men are trained for four  
13 years through a program, so they become a skilled  
14 worker so we can go out and produce this work and make  
15 it acceptable to our clients.  
16 Southern Union chose to utilize us  
17 for this project that they have in town. They provided  
18 us with a contract of over \$400,000 for manufacturing  
19 of copper roof panels, installation of them, and other  
20 miscellaneous work for that building.  
21 As we speak right now, my men are  
22 still working on this project. Our part of the project  
23 will probably be completed by another month from now,  
24 and it was a great project for us and we're glad to  
25 have it in the City of Scranton.

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01 These types of jobs do not come  
02 very much in the City of Scranton because we are a  
03 union shop. Most of the work being done is by  
04 non-unions, but this Southern Union company chose to  
05 use us for this project.  
06 Not only did this provide work for  
07 our local people, it also kept them off the  
08 unemployment line. It was a major project. We also  
09 purchased many of the items from the local vendors and  
10 supplies from around here.  
11 If you looked at all the signs  
12 that were posted around the fence around Southern  
13 Union, there was approximately 30 signs. Of those 30  
14 signs, they're all local contractors. Everything was  
15 kept local in our area.  
16 The project was a great boost for  
17 our local construction industry. At the time when this  
18 project was going on, there was very much high  
19 unemployment in our construction field. This brought a  
20 lot of people to work and kept them working.  
21 When Southern Union purchased  
22 Enron, they did not desert the structure of this  
23 project, they kept this project going. They lived up

24 to all their contracts and are finishing this to the  
25 very end of their contract.

0026

01 They also have an incredible  
02 payment history. You send a bill to them, the bill was  
03 paid immediately within one week to two weeks tops.  
04 They are very good people.  
05 They should not be criticized or  
06 penalized for the recent need to downsize their  
07 structure of their Scranton office because they have  
08 brought in so much to our community just by completing  
09 this building.  
10 The Southern Union building is a  
11 beautiful building. It's going to be there forever.  
12 What was there before that was torn down, it was an  
13 eyesore to the city, and now we have a beautiful  
14 building sitting there.  
15 Southern Union is currently  
16 employing people in that building right now, and  
17 eventually because of their downsizing, they will be  
18 employing other aspects into that building which will  
19 create more revenue to the city.  
20 As a Scranton taxpayer and  
21 resident and owner of James W. Cox & Son, I hope that  
22 Southern Union will be able to retain their KOZ  
23 status. I ask that you will not penalize them because  
24 of the changes within their company that are  
25 unavoidable. Thank you.

0027

01 MR. DIBILEO: Thank you very much,  
02 Mr. Constantini. Thank you, Mr. Constantini.  
03 MS. EVANS: Just one thing,  
04 though, before we move along. Mr. Constantini I'm very  
05 pleased that Southern Union utilized your particular  
06 business, that's definitely a plus, because I like to  
07 see union workers local, union workers, being employed  
08 within the City of Scranton, so I agree, that is highly  
09 commendable, and I believe everyone is appreciative of  
10 Southern Union's decision to come to Scranton, however,  
11 there are government guidelines concerning the awarding  
12 of KOZs and KOEZs that have to be met, so it really  
13 isn't an issue, let us say, particularly for City  
14 Council or one that is overseen by City Council. I'm  
15 sure these are state guidelines that must be met.  
16 So, in order to be in compliance  
17 with those guidelines, the situation may have to be  
18 reviewed, and that is a situation that is in the hands  
19 of a government above and beyond City Council, because

20 I'm sure as a labor contractor, you are aware that  
21 there are requirements and guidelines to every  
22 agreement that absolutely have to be met, and the  
23 situation is beyond anyone's control. Thank you.

24 MR. CONSTANTINI: There are also  
25 other KOZs that are being done that should be checked  
0028

01 if they don't meet their standards, also.

02 MS. EVANS: I agree, I agree.

03 But, again, there's a matter of state compliance rather  
04 than local compliance.

05 MR. CONSTANTINI: But it was good  
06 of Southern Union to hire everyone locally.

07 MR. DIBILEO: I'm sorry,

08 Mr. Constantini, but we're not going to be able to  
09 entertain anything further from the audience.

10 MS. EVANS: Thank you, Mrs. Evans

11 and Mr. Constantini. Andy Sbaraglia.

12 (WHEREUPON, Mr. McTiernan entered the meeting.)

13 MR. SBARAGLIA: Andy Sbaraglia,  
14 Main Street, Scranton. Fellow Scrantonians, at the  
15 last meeting we had I asked about the status of that  
16 letter of credit with the SRA that Jay was going to  
17 check into, did he check into it at all?

18 MR. SAUNDERS: I --

19 MR. DIBILEO: Mr. Saunders.

20 MR. SAUNDERS: I have to admit  
21 that I did not. Mr. Sbaraglia, I will get that for  
22 you, I promise you. I didn't get around to it this  
23 week.

24 MR. SBARAGLIA: Because when they  
25 put out their report, the letter of credit was not  
0029

01 mentioned in it at all in their audit, and I was  
02 wondering why the letter of credit was dismissed but  
03 the loan was put in there. We're talking about  
04 \$24 million that the SRA got their hands on,  
05 \$12 million from this Council, and another \$12 million  
06 from the bond issue. Now, somewhere along the line  
07 that should be accounted for in their SRA audit.

08 Okay. As you know, the mayor  
09 vetoed our pool, okay? I can understand that he finds  
10 that for some reason or other that our pools are unsafe  
11 or whatever he wants to say about them, but people down  
12 the line have addressed these problems, and it's funny  
13 he never looked into a solution of a compromise,  
14 because a lot of people down the line say if the kid is  
15 eight years old, he can't swim alone, he must come with



16 a parent or a baby-sitter or a guardian, okay? If it's  
17 over that, then he can swim.  
18 Now, that would have been a  
19 compromise if they called this a safety issue.  
20 MR. MCTIERNAN: Mr. Sbaraglia, if  
21 I can remind you, several weeks ago I proposed that  
22 compromise specifically to try to encourage family use  
23 of the pools, even as late as the last -- the 7th order  
24 vote on that legislation, so that information or that  
25 proposal is still out there. It's absolutely a great  
0030  
01 idea, having more adults around the pools. Encouraging  
02 family use of our municipal is really a great idea. I  
03 agree with you.  
04 MR. SBARAGLIA: There's no  
05 question about it, because it should not be a political  
06 issue. Children should not be made a pawn in any  
07 political issue. Children are children. They deserve  
08 what we can give them.  
09 Maybe we can't give them  
10 everything we would want to give them, but we should  
11 give them at least what we can afford to give them.  
12 Well, that's it. Now we got a  
13 problem there. Does anybody know how our beds are  
14 protected down there at the Hilton? Because I'm really  
15 concerned about these beds and the light fixtures and  
16 some of these other things that we own at that hotel.  
17 Have they been protected or are we  
18 going to lose them when they go bankrupt? Has the  
19 mayor protected us when he writes these little  
20 contracts he does? I know he doesn't protect us.  
21 MR. DIBILEO: Is anyone aware of  
22 the situation?  
23 MS. EVANS: Mr. Sbaraglia, I have  
24 copies of the various agreements and ordinances that  
25 have been passed since the inception of the project,  
0031  
01 and it appears to me, and incidentally, I would be very  
02 happy to share the information with you, but it appears  
03 to me that those rights are protected, however, I don't  
04 know that if the mayor wished to include the  
05 furnishings in any type of resale, that he would be  
06 prohibited from doing so. I would have to have an  
07 attorney examine the information that I have in order  
08 to ascertain that information.  
09 But as I said from what I have  
10 read, it appears that the city's interests, financial  
11 interests in terms of furnishings, etc., are well

12 protected.

13 MR. SBARAGLIA: Well, that's good.

14 When they declare bankruptcy, I know HUD, I never saw  
15 the HUD agreement with the city, I know they enter  
16 into -- HUD was reluctant just to give them the loan,  
17 so they said they had to do something, so there's where  
18 that bedding and fixtures and so forth came into the  
19 agreement.

20 But as long as we're protected,  
21 that's all I care. We have \$2 and a half million --

22 MS. EVANS: As I said, it appears  
23 that we are, but I think what's most unfortunate  
24 perhaps about the situation is that we, as you may have  
25 noted during prior Council meetings, we traded a  
0032

01 subordinate position on the loan, a second lien for the  
02 furnishings, and I also learned while reading through  
03 all of this material and prior meeting minutes, that we  
04 also had a second position on the Hotel Casey.

05 So, it seems that rather than,  
06 and, again, I emphasize seems, that rather than  
07 bargaining up, we were bargaining down. Nevertheless,  
08 what we have is protected.

09 MR. SBARAGLIA: Well, that's a  
10 good part of it, because as you know, the money that  
11 they borrowed came from the county. You know, the  
12 county lent them money, they used the money to pay off  
13 their debts they had with their own money, so they  
14 actually -- the people running this hotel had none of  
15 their own money invested in this hotel, and that may be  
16 one of the reasons why it went downhill.

17 If you've got no financial  
18 incentive in a building, why care about it? But  
19 anyway, that's what happened. The main thing is if  
20 we're protected, because we got almost as much money  
21 invested in that hotel as the bond holders.

22 If you ever go back to the  
23 original stuff, we got \$10 million from the state, plus  
24 we gave so many million and a half to buy back the lot  
25 at the Casey, I think it was something like \$1 and a  
0033

01 half million, we took the money that was supposed to be  
02 spent to fix up the garage, the old Casey garage, and  
03 gave that to them, too. So, we got maybe \$13 or \$14  
04 million in public money invested in that. Thank you.

05 MR. DIBILEO: Thank you,

06 Mr. Sbaraglia. And it should be noted, Mr. Sbaraglia,  
07 that all those agreements will be reviewed thoroughly.

08 It's the early stages of the process now. We will be  
09 sure to make sure that the city's interest is protected  
10 in all different ways and we'll look at the entire  
11 situation regarding the agreements that are in place.  
12 Regina Yetkowskas.  
13 MS. YETKOWSKAS: Regina  
14 Yetkowskas, Scranton resident and taxpayer. I continue  
15 with my observations on the primary election. My  
16 observation deals with the Scranton Times, its news  
17 articles on Mr. Doherty for four years and its campaign  
18 reporting before the primary election.  
19 I believe all the Times reporting  
20 substantially contributed to downgrading Mr. Doherty's  
21 easy election victory to only a squeaker win, and that  
22 may change completely in November. It will be a winner  
23 take all race in November.  
24 We all know the Scranton Times is  
25 in business to make a profit. It is entitled to  
0034  
01 operate such a manner to earn that profit. While  
02 pursuing its mission, the Times has the right to print  
03 opinions in its editorials and on its op-ed pages.  
04 But the people also believe the  
05 Times has at least two duties to its readers, the first  
06 is to keep editorial comment and opinions out of its  
07 news stories, and the second is to refrain from  
08 publishing slanted news stories.  
09 To me, a slanted news story is one  
10 that is all one-sided, one or one that deliberately  
11 leaves out relevant facts. This is all the more  
12 important with the Times, because a number of years ago  
13 the Times announced its conversion to an independent  
14 newspaper.  
15 The facts and the recent campaign  
16 reporting show it is not so. Aside from its  
17 editorials, when one reads the Times campaign reports,  
18 the immediate observation is when the article dealt  
19 with Mr. Doherty, it was all positive and praised what  
20 he allegedly did for the city, even if further checking  
21 would prove Mr. Doherty did not deserve the credit he  
22 claimed.  
23 I do not recall any Scranton Times  
24 stories on Mr. Doherty's borrow and spend policies or  
25 on his deficits while in office or what was or is the  
0035  
01 city's and the municipal authority's financial  
02 conditions on any given day or the accuracy of  
03 Mr. Doherty's operating budgets or the approximate

04 amount of lost real estate taxes through KOZs.  
05 In short, I suggest the people  
06 perceive the Scranton Times did not give them accurate,  
07 fair, independent or complete reports when the news  
08 stories dealt with Mr. Doherty's administration for  
09 four years or his re-election campaign.  
10 As I said before, the people are  
11 much more intelligent than thought by the politicians  
12 and now the Scranton Times.  
13 No matter what the Scranton Times  
14 thinks, my observations and beliefs were supported  
15 in the recent primary election.  
16 What was the effect of my beliefs  
17 and possibly the people's beliefs on the conduct of the  
18 Scranton Times for four years and the primary election  
19 campaign?  
20 I believe the Times is no longer  
21 the average person's voice. It no longer reflects the  
22 taxpayer's attitude. It can no longer mold the  
23 people's thought, as it once did.  
24 Even though the Scranton Times  
25 still retains its monopoly in this area, it lost much  
0036  
01 of its force in Scranton politics.  
02 I believe the reason is because  
03 its general contents, its news stories and editorials  
04 have caused the Times to lose much of its credibility  
05 and more of its relevance.  
06 If I am correct in my beliefs and  
07 am supported by the people's similar thoughts, than an  
08 effect of all this will be that the Times lost or will  
09 lose readers and subscribers. The people will get  
10 their news from many other sources that now exist.  
11 Many people who speak at this  
12 podium voice the same opinions about the Scranton Times  
13 as I do. I believe the Scranton Times endorsements of  
14 future political candidates will not be an asset, on  
15 the contrary, it will be like an albatross around that  
16 candidate's neck.  
17 The Scranton Times is run by  
18 competent professionals with much experience in the  
19 news field. There are devoted to their profession in  
20 journalism. As a result, these Times professionals may  
21 hear what I say, but do not listen to what I say.  
22 After all, I am only a local  
23 senior citizen who meets with the people on a daily  
24 basis. With Scranton's population and potential  
25 readers continuing to decrease, it might be a good idea

0037

01 for the Scranton Times to set its monopolistic  
02 arrogance aside for a while and come back to the  
03 people. Thank you.  
04 MR. DIBILEO: Thank you,  
05 Ms. Yetkowskas. Christopher O'Brien.  
06 MR. O'BRIEN: Christopher O'Brien,  
07 Green Ridge section resident since 2001. Good  
08 afternoon, Council. I'm here today as a Scranton  
09 taxpayer. I've always filed and paid my taxes on time,  
10 so I'm here to talk about the other side of the issue  
11 that NCC was speaking about today, tax refunds.  
12 I filed my taxes this year on  
13 approximately February 15 in person at the office, so I  
14 know they were received. Unfortunately for me I was  
15 due a refund this year. It's always good to hear when  
16 you do your taxes.  
17 Since that day, it has been 21  
18 weeks, 147 days since I filed my tax return, 147 days.  
19 I have not received my refund.  
20 I began my search for answers  
21 through the tax office and what I considered a  
22 reasonable amount of time, the end of April, nine  
23 weeks, 63 days after filing my return.  
24 An employee in the office  
25 responded to me, None of these refunds have yet been  
0038

01 processed, sir. I asked them, Don't you process them  
02 as they come in?  
03 No, the computer system does not  
04 allow us to do that. Okay. So much for my incentive  
05 to file my taxes from now on. I'll probably wait until  
06 April 15.  
07 So, I waited a few weeks, call  
08 back in mid-May. Now it's 12 weeks, 84 days since I  
09 filed my tax return. No refunds have yet been  
10 processed, Sir, I'm informed.  
11 Do you know when they will be?  
12 No, I don't have an answer for you for that. This is  
13 the first time I asked to speak to their supervisor,  
14 Kenny McDowell, our Scranton tax collector, of which I  
15 was informed he was not there.  
16 In the following weeks I would go  
17 through similar conversations, always polite and  
18 courteous, and I'll say the office was always -- the  
19 workers were always polite and curious to me, as well,  
20 even when they knew what I was going to ask them.  
21 But I begin to ask myself, Where

22 is Kenny McDowell? Why am I not getting any answers?  
23 So, finally June 15th now, we're at four months, 16  
24 weeks, 112 days since I filed my tax return. Don't  
25 have my refund.  
0039  
01 This is where I reached my point  
02 of lack of patience. Getting no answers, I began  
03 writing letters to the Times-Tribune. And although  
04 none were published, there was an article that appeared  
05 on July 6, which is still accessible through their  
06 website archives quoting Kenny McDowell saying the  
07 refunds were only one month late. At this point I have  
08 waited five months, 20 weeks, 140 days.  
09 Many are owed much more than me,  
10 so I feel, you know, a little reserved in my complaints  
11 as I read in the paper, one woman is owed \$2600 in a  
12 refund with a KOZ zone, and she's waited at least three  
13 months if she filed on the last day to file in April.  
14 So, this past Monday I went in  
15 person down to the Jefferson Avenue office, and the  
16 employees were very courteous, and now they can tell me  
17 my refund is pending. No date, no timetable, nothing.  
18 So, I still don't have an answer where I'm getting my  
19 refund.  
20 So, I've gone from a slightly  
21 impatient taxpayer to an enraged, even motivated,  
22 Scranton citizen. I've corresponded with they mayor's  
23 office, I've corresponded with a couple members on  
24 Council, and I have heard back from Mr. DiBileo, which  
25 I want to acknowledge, before I was able to contact the  
0040  
01 rest of the members of Council.  
02 I've also found out that taxpayers  
03 whose refunds are incoming lately, that there's a  
04 possibility of interest being collected on refunds that  
05 are overdue. Again, I'm still investigating this, but  
06 this could be additional costs incurred by the city,  
07 which is unnecessary, and we know how tight our budgets  
08 are.  
09 Also of the many taxpayers due  
10 refunds, figuring 3,000 refunds at an average of \$100,  
11 that's \$300,000 that has not been put back into our  
12 economy yet. There is money that's not going to  
13 contractors, such as Mr. Constantini's business, not  
14 going back to the woman who had to hire a contractor to  
15 do her driveway, money not coming back into the  
16 economics of the city.  
17 And ironically enough what really

18 pushed me over the edge to come speak to you today as I  
19 was going through the newspaper this morning, and ad,  
20 call and tell us your story if you haven't gotten your  
21 refund. I'll be on the phone this afternoon.

22 Now, fortunately for me as a voter  
23 and a taxpayer, the tax office is up for re-election  
24 in this November, and I can have my say then as far as  
25 correcting what I see as mismanagement of this office;  
0041

01 however, up that point I'm here today to ask the  
02 Council to hold accountability in the office and get me  
03 and all the other taxpayers due some answers, and  
04 answer the question as far as where is Kenny McDowell  
05 and where is our tax refunds. That's all I have.

06 Thank you for your time.

07 MR. DIBILEO: Mr. O'Brien, thank  
08 you. As you know, you sent me two Emails, and I said  
09 that I'd look into it. Not knowing you were coming  
10 today, I actually --

11 MR. O'BRIEN: I didn't either  
12 until this morning.

13 MR. DIBILEO: I actually spoke,  
14 believe it or not, to a representative from the tax  
15 office this morning. I just handed Neil that person's  
16 name.

17 So, why don't you take that little  
18 note and call that person, and she said she'll help you  
19 out and let you know what the status is of your refund.

20 MR. O'BRIEN: Okay. And, I mean,  
21 I'm not here just for my personal refund, I think  
22 that's -- I mean, I -- we get our state refunds back in  
23 four to six weeks, which I did by mail, I didn't do it  
24 electronically. You know, five months is entirely too  
25 long. Thank you.

0042

01 MR. DIBILEO: Thank you. Jane  
02 Corcoran.

03 MS. CORCORAN: Hi. My name is  
04 Jane Corcoran, a West Scranton resident. First things  
05 first, I did say I had those pictures of those women  
06 that I took up at the park, and I don't know who they  
07 are, perhaps you can find out who there are and give  
08 them -- can I --

09 MR. DIBILEO: Yeah, leave them  
10 with Neil, Ms. Corcoran. Thank you.

11 MS. CORCORAN: Okay. What I  
12 wanted to bring up is, I've got to get the pictures out  
13 of the way, as far as swimming goes, and I believe -- I

14 don't think there's anything wrong with a dollar, and  
15 I'll tell you why, I see these kids in the store, they  
16 got more money than me.  
17 And, you know, like at these  
18 Sunoco things, they're in there, they're buying candy,  
19 they're buying these trucks. They got more money than  
20 I have, probably more money in their pocket than half  
21 of us.  
22 In Brentwood Long Island, where I  
23 used to live, they had a very good program. It didn't  
24 matter if you had three kids, five kids, nine kids, ten  
25 kids, you went as a parent -- I think half of the  
0043  
01 problem is we need parenting and we need a youth  
02 program.  
03 Parenting, because I kind of  
04 wonder why can't you even feed your kids lunch. I  
05 really do have a little bit of a problem with that  
06 myself, okay? I'm sorry I do, but I do. Even  
07 breakfast, I mean, when you become a parent, you're  
08 supposed to feed your kids. That's -- I don't know.  
09 I'm just old fashioned.  
10 Okay. We have that program, fine.  
11 But in Brentwood you went down and you took your  
12 picture and your kid, and then they wore their little  
13 tag. If they didn't have their tag, they didn't swim.  
14 How many times my kids went down  
15 without their tag, tough nuts, go home, get your tag.  
16 Now you swim tomorrow. Now you won't forget your tag.  
17 Five bucks for the family, whatever it was, I don't  
18 know, five or \$10.  
19 And why don't we work it that way,  
20 then you don't have to worry about this kid can't swim,  
21 this kid can't, you know.  
22 They have their little badge,  
23 they're all Scranton residents, you know. I cannot  
24 believe that people cannot put out for their family a  
25 five dollar when it comes -- okay, now the summer is  
0044  
01 coming and we're going to do this, okay?  
02 And I think I've been hearing a  
03 little, and I have been hearing a little overtones,  
04 kind of racial undertones here and there coming and  
05 going, and I think we have to stop that. It has to be  
06 our community, not this community, that community.  
07 And a youth offenders program, I  
08 had some kids steal money out of my car 2 feet from my  
09 husband, a big guy like you guys, right? And I'm



10 thinking, Now, if you're doing that at nine, what are  
11 you going to do at eleven, what are you going to do at  
12 fourteen and at sixteen?  
13 I say put them -- let them go in a  
14 jail cell for four hours and scare the crap out of  
15 them, really, in all honesty, you know?  
16 I mean, my son years ago was  
17 put -- he's the commander in Delta Force, okay,  
18 Green Beret, he was put in jail, he had to spend the  
19 weekend. I had to get him out on Monday. He was as  
20 white as a ghost. He hugged me, I'm never going to  
21 commit a crime. Well, he never did.  
22 And I'm talking to these kids,  
23 these little gangs taking my money and stuff, and I  
24 started talking to them, and I'm saying, Did you ever  
25 read Oh Henry? They don't even know what Oh Henry is.  
0045  
01 I said, Start reading. They're small short stories,  
02 three, four pages long, you know that.  
03 I told the one kid, he's up here  
04 from New York, I said when are you going to come -- and  
05 I know where he's from, I said, I know 200 Street, I  
06 lived there.  
07 I said, You're coming back next  
08 year, I want you to read Homer's Iliad and the Odyssey.  
09 Go on, do it. You're old enough. I read it long  
10 before. I had to read it in grade school. You guys  
11 are in high school.  
12 You don't know who Oh Henry is,  
13 find out. Read it. I said, Take the Reader's Digest,  
14 that page of Word Power, even if that's all you do.  
15 Learn the words. Do something, you know?  
16 I mean, start off as little  
17 reading like the little Oh Henry short stories. I  
18 think the schools have to do that. You know, teach the  
19 black children the wonderful history of Metger Evers  
20 and the terrible things that happened to that one boy,  
21 my aphasia is coming in, you know, who was beaten  
22 terribly right around that time of Metger Evers.  
23 They have to learn about this. I  
24 mean, we all have to learn about this, the white kids,  
25 the black kids, all the kids. We're one community. We  
0046  
01 have to learn that we're not this, that and this. We  
02 have to be one community.  
03 And I want to end this with, and  
04 the lady is here from the Advocacy Center, why don't  
05 we, Scranton, Pennsylvania, a beautiful town, I'm a

06 native New Yorker, we're good people, why don't we  
07 start the Jessica Law right here? You hurt a kid,  
08 you're going to 25 years the first time. You're not  
09 going to be out.

10 MS. EVANS: Thank you,  
11 Mrs. Corcoran. Maybe you can come back next week and  
12 address the Jessica Law. But I just wanted to add  
13 before you leave that the City of Scranton does offer a  
14 family season pass for swimming. It costs \$100.  
15 Last summer it was \$75. It's been increased by \$25  
16 this summer.

17 MS. CORCORAN: Like a badge that  
18 the kids could wear. Here I am, there I am. Here I  
19 am. Here's my badge, I go swimming. I don't have my  
20 badge, hike back home.

21 MS. EVANS: Thank you. Good  
22 idea. Fred Budzinski.

23 MS. EVANS: Please state your name  
24 and address for the record.

25 MR. BUDZINSKI: Fred Budzinski,  
0047

01 Jermyn Apartments.

02 MS. EVANS: Thank you.

03 MR. BUDZINSKI: Council, fellow  
04 seniors, now, a woman brought to my attention she was  
05 coming from Holy Rosary Bingo coming up  
06 Providence Road, and right by that new high school, she  
07 tells me it's kind of dark there, and it's pretty hard.  
08 And drivers coming from the opposite direction blinded  
09 her, and she said thank God she didn't even get in an  
10 accident. She would like the city to look that over.

11 MR. COURTRIGHT: Fred, they're  
12 already looking into that. We had that issue.

13 MR. BUDZINSKI: Well, I didn't  
14 know that, but she brought that to my attention, you  
15 know, and she almost got into a serious accident. And  
16 God forbid if there was, you know what I mean?

17 MR. COURTRIGHT: Many months ago  
18 School Director Jeffers brought that to our attention,  
19 and they're looking into that.

20 MR. BUDZINSKI: Okay. Thank you.

21 Now, two weeks ago you had a gentleman here, and he had  
22 a sense of humor, and he's talking about all those  
23 benches, but just out of curiosity, I walked around the  
24 courthouse, he was right, there's 37 benches, but also  
25 there's seven picnic tables.

0048

01 Now, there happened to be a couple

02 there with a couple children, I happened to get in a  
03 conversation, she said she drove up to Easton. The  
04 only reason she came up was to go to Steamtown.  
05 Anyway speaking about benches,  
06 there's a group of women I know that they're talking  
07 about setting up a card table and some chairs, about  
08 eight of them, I think, going in front of the  
09 Globe Store and set up a card table and they're going  
10 to try for petitions for benches downtown.  
11 And they were kind of worried  
12 about do they need a permit, and they're going to say,  
13 Mr. Walsh, would these women need a permit on this?  
14 MR. WALSH: Just explain to me  
15 exactly what your question is, Fred.  
16 MR. BUDZINSKI: These women are  
17 thinking of having a petition to set up in front of  
18 Wyoming Avenue both sides of the street, and they're  
19 wondering do they need a permit for that?  
20 MR. WALSH: What are they looking  
21 to set up, Fred?  
22 MR. BUDZINSKI: To set up a  
23 petition to get a big list of names for benches  
24 downtown so they don't have to be standing up on their  
25 feet.  
0049  
01 MR. WALSH: You know, a lot of the  
02 things that you do in the City of Scranton you do need  
03 a petition for. I don't know right off the hand  
04 whether a petition is needed for that, but if these  
05 ladies would like to know before they do it, tell them  
06 feel free to give me a call and I'll check it out for  
07 them.  
08 MR. BUDZINSKI: I will do that.  
09 MR. WALSH: Not a problem,  
10 Fred.  
11 MR. BUDZINSKI: They're shooting  
12 for this one.  
13 MR. WALSH: Certainly.  
14 MR. BUDZINSKI: Now -- Oh, right,  
15 this KOZ, I heard so much about KOZ, by the  
16 Ritz Theater once side there's two empty stores, one  
17 got a sign in the window KOZ, across the street empty,  
18 no KOZ.  
19 Go up the corner around  
20 Spruce Street, there's an empty store with no sign, but  
21 right across the street there's two empty, one of them  
22 got KOZ.  
23 You go down to where the bank was,

24 sign for rent, no KOZ, Arby's, sign, across the street  
25 where John's was, no KOZ.

0050

01 Now, this KOZ, and speaking about  
02 guidelines, guidelines, and I think even Janet Evans is  
03 not so sure what the guidelines is on some of these.

04 What is the guideline? Let's get this -- what s the  
05 guidelines on KOZ, Mr. -- you? I mean, if you can fill  
06 us in on that one.

07 MR. WALSH: I'd be happy to, Fred.

08 There's a lot of guidelines for KOZ, but generally what  
09 the KOZ requires is that you come in and fix up the  
10 property.

11 Again, I could be here all morning  
12 going over all of the guidelines that are required for  
13 KOZs, and actually there's two programs, there's a KOZ  
14 and there's a KOEZ, but if you've noticed the buildings  
15 that were granted KOZ status, generally what they're  
16 required to do is to come in, fix them up and make  
17 them, you know, useful in the community again.

18 I know a lot of the buildings that  
19 have gotten the KOZ. The benefit to that is that they  
20 don't pay taxes on those properties. I believe it's  
21 for 13 years.

22 You're not simply talking about  
23 the real estate tax, you're also talking about the  
24 local income tax, and I believe the state income tax,  
25 as well.

0051

01 I do have a list of the different  
02 requirements for KOZs, because I know when we looked at  
03 those issues. Mr. Saunders and I, I think we do have  
04 lists on that, Fred. So, if you'd like those lists,  
05 we'd be happy to give those to you, as well.

06 MS. EVANS: And if I could add to  
07 that, what the attorney said is absolutely correct, but  
08 in addition to that, a certain number of jobs must be  
09 created for, I believe, low income or moderate  
10 individuals within the community.

11 MR. BUDZINSKI: I understand, but  
12 I think that some of these businesses, there would be  
13 not more than two employees, some of them.  
14 In my opinion these KOZ zones,  
15 they should all be KOZs. No favoritism. There seems  
16 to be there's favoritism on them.

17 Now, I was going to talk about the  
18 Hilton. Could I have a minute to talk about the  
19 Hilton?

20 MS. EVANS: Well, one minute.

21 MR. BUDZINSKI: Now, about the  
22 Hilton, I think that was a lost cause from the  
23 beginning. In the first place, they don't have their  
24 priorities right. To begin with, they should have  
25 fixed up that Casey Garage, and the Casey Garage would  
0052  
01 have been finished, and then follow up with the Hilton.  
02 And also, we got those hotel right  
03 around Scranton, four in Scranton, and people ain't  
04 traveling like they do with the price of gas.  
05 And if it goes up for auction, I'd  
06 say Ma Gerrity, put a bid on that. You could have a  
07 nice Christmas party for your employees. Thank you.

08 MS. EVANS: Very good point.

09 Thank you.

10 MR. DIBILEO: Thank you,  
11 Mr. Budzinski. Larry McAndrew.

12 MR. MCANDREW: Larry McAndrew,  
13 Scranton resident and Scranton taxpayer. Good  
14 afternoon, Council. I'm usually saying good evening.  
15 This is quite unique.  
16 There's a few things that I'd like  
17 to address that has happened since we had our last  
18 meeting, but I first want to say that we're having a  
19 meeting Monday evening at 7 p.m., that's July 18, right  
20 here at the chambers, the council chambers, and it  
21 involves the Scranton Taxpayers Association and also  
22 Lackawanna County, this includes.  
23 I want to say that the people from  
24 Vandling all the way down to Old Forge are invited.  
25 Although we are a Scranton based organization, it  
0053  
01 includes everybody. It's the whole community.  
02 So, please try to make an effort  
03 to attend so we can get your input in what direction  
04 this taxpayers association should take up.  
05 Our leader is Mr. Ozzie Quinn, a  
06 fine gentleman, and I think our two meetings that we  
07 had in the past showed that we have strong support,  
08 that we're here to stay.  
09 All right. Enough on that. I  
10 want to say about July 4 ceremony, the flag ceremony at  
11 Nay Aug Park, that was very interesting, myself and my  
12 friend and our two dogs attended this ceremony, and it  
13 was held at the lake by the pool, and although that was  
14 nice, I think it should be held at the original spot  
15 where the band stand was, in that area there, because

16 the speaker with the noise from the pool, we could not  
17 hear exactly what she was saying.  
18 The ceremony was nice. I think  
19 the orchestra should have played a little longer, and  
20 after this was done, we took a tour of our Nay Aug  
21 Park.  
22 My understanding is we put  
23 \$700,000 to \$1,000,000 into that park. First off, I  
24 want to say is this portable toilets that we have,  
25 they're far and not enough available, and also we don't  
0054  
01 have anywhere to wash our hands.  
02 We should have some kind of wipes  
03 or facilities so that we can go in and at least wash  
04 our hands.  
05 Also taking in the whole park, the  
06 Wildlife Center was closed July 4 and July 5. Those  
07 two days are the busiest days of the season. Is there  
08 any reason why Mrs. Miller had those two days closed?  
09 Does anybody know?  
10 MR. DIBILEO: I'm not aware,  
11 Mr. McAndrew.  
12 MR. MCANDREW: I think she missed  
13 out on quite a few donations on those two days.  
14 MS. EVANS: Was it -- are you  
15 saying Monday and Tuesday it would have been closed?  
16 MR. MCANDREW: Yes, Mrs. Evans.  
17 MS. EVANS: As far as I know the  
18 zoo is closed every Monday and Tuesday, and in addition  
19 there is a sign on the zoo currently that indicates the  
20 zoo is not closing. But I know that it is closed for  
21 those two days of the week.  
22 MR. MCANDREW: I think with the  
23 crowd that was there for the ceremonies for the  
24 fireworks and so forth, she should have made an  
25 exception to be open for those to days, because I think  
0055  
01 donations would have been given to her Wildlife  
02 Center.  
03 On a humorous note here, but  
04 before I get onto that, I also want to address  
05 something else about Nay Aug Park, of the \$700,000 or a  
06 \$1,000,000 that was invested in this park, I feel that  
07 we got jipped here, that we didn't got our monies  
08 worth. I didn't see any flowers planted anywhere along  
09 that park to beautify it.  
10 MS. EVANS: Mr. McAndrew, are you  
11 talking \$700,000 to a million invested?

12 MR. McANDREW: Yes.

13 MS. EVANS: Only for landscaping

14 because there has been many, many more millions

15 invested than that.

16 MR. MCANDREW: There's more than

17 that?

18 MS. EVANS: Oh, yes. It

19 exceeds -- it far exceeds that amount.

20 MR. MCANDREW: I have people that

21 come up to this podium saying how beautiful this park

22 is, what I saw was a rundown park.

23 Excuse me, this is my opinion, if

24 we put all this money in here, I think the

25 Recreation Authority should have a public meeting and

0056

01 explain where all this money went to, if this is how

02 much money we spent there.

03 There's other issues I'd like to

04 speak, if I could have another minute or so about this

05 Hilton.

06 MR. DIBILEO: Mr. McAndrew, would

07 you mind coming back next week with that?

08 MR. MCANDREW: Yes, sir. I thank

09 you.

10 MR. DIBILEO: Thank you. That's

11 it for the sign-in sheet.

12 MS. BELLES: Good afternoon,

13 Council. My name is Jennifer Belles, I'm here again to

14 address issues concerning Daron Northeast.

15 I question today whether or not

16 they have come into compliance with the regulations set

17 forth by Mr. Fiorini. If they have, I would argue that

18 much more needs to be done.

19 To date, I think my street has

20 been cleaned once. That's giving them one time to do

21 it. The dust and the aggregate continue to blow onto

22 our homes. These piles are not covered, and it comes

23 in in the form of what seems to be an implosion, as

24 evidenced by this photograph.

25 MS. EVANS: We're fortunate we

0057

01 have Mr. Fiorini with us today, and the after you

02 speak, I'm sure he'll address your issues.

03 MS. BELLES: I don't feel it's

04 okay to compromise our health, not on one day of the

05 year, let alone every day of the year.

06 I want to thank you, Janet Evans.

07 I know that you've done a lot of work and a lot of

08 progress is being made, so, again, I thank you.

09 MS. EVANS: And I thank you for

10 this photo, because it speaks volumes.

11 MS. BELLES: We have other

12 neighbors to thank for that. I guess my next question

13 would be more appropriately addressed to Mr. Mike

14 Wallace, the zoning commissioner, as to how and why a

15 business of this magnitude can continue to operate in

16 three full shifts without ever having filed a

17 variance.

18 I know they are a KOZ, I know that

19 there are certain regulations they have to follow, I'm

20 not sure if applying for a variance when acquiring a

21 building is one of them.

22 I have watched the zoning

23 commission on TV, I believe I'm correct when I say that

24 they do. There has never been a public hearing for

25 myself and the rest of the residents in that area to

0058

01 come and voice our opinion in opposition of this

02 business.

03 I don't understand why they are

04 immune to following the policy and procedures set forth

05 by the city. And I'd like to know when we will have

06 our public hearing.

07 MS. EVANS: Do you mean before the

08 zoning board?

09 MS. BELLES: Before the zoning

10 board, yes, because this is heavy industrial, and it

11 doesn't belong in a neighborhood across the street from

12 residential homes, and there was never a public

13 hearing.

14 MS. EVANS: Daron never appeared

15 before the zoning board?

16 MS. BELLES: They never even filed

17 a variance. It has come to my attention in recent

18 weeks that they've never filed a variance.

19 MR. DIBILEO: I see Mr. Fiorini

20 shaking his head back there. Possibly he could address

21 that question.

22 MS. BELLES: Well, I know there

23 was never a public hearing, so I don't know.

24 MR. DIBILEO: Please. Could you

25 come up?

0059

01 MS. BELLES: Okay. Mr. Fiorini

02 says it's light industrial, I would also like him to

03 describe the differences between light industrial and



04 heavy industrial.

05 MR. FIORINI: I don't have the

06 definitions between --

07 MS. BELLES: As best you can.

08 MR. FIORINI: If they want to

09 put me on the spot, that's fine. I'm not the zoning

10 officer, and I really can't interpret it, but I've

11 talked to Donny King about this that, you know, it has

12 been on Doherty.comdeceit and petitions have been

13 flying around down there that they had to have a

14 hearing.

15 Being that it's designated as

16 light industrial, there's what they put in there. They

17 didn't need a hearing in front of the zoning board.

18 If they built something that

19 wasn't attached, then they would have to go in front of

20 planning and then the zoning board.

21 Light industrial, all they're

22 doing is manufacturing block there, and I think the

23 difference between light and heavy is that they would

24 be doing heavy manufacturing or fabrication of steel,

25 something like that, versus what they're doing there

0060

01 now.

02 I mean, I don't have the true

03 answer, but I will get the true answer for you on that,

04 the difference between the two.

05 MS. EVANS: If I might, though,

06 the zoning board does not conduct public hearings,

07 rather the applicant for a variance, etc., would come

08 before zoning, they would have been listed on an

09 agenda, a monthly agenda, they come before zoning, they

10 present their case in front of the members of the

11 zoning board, and any neighbor or any individual who

12 may be opposed or an advocate for the individual is

13 able to speak before zoning at that time; is that

14 correct?

15 MR. FIORINI: Yes.

16 MS. EVANS: And then the zoning

17 board renders its decision.

18 MR. FIORINI: Yes, what happens is

19 a person comes in, and let's say they need a variance

20 for a specific property or what they're doing, they

21 fill out an application, and that's a process.

22 Prior to the hearing, the zoning

23 officer, I think in a two block radius of the area, he

24 posts that on poles and etc. to notify the public, plus

25 it's put in the paper, so everybody has their

0061

01 opportunity to come in and voice their opinion about it  
02 for or against it, and that's the procedure. But in  
03 this instance --

04 MS. EVANS: Yes. That's why I  
05 just wanted to clear up what the difference was between  
06 a public hearing, such as conducted by City Council and  
07 a zoning hearing.

08 MR. FIORINI: Yeah, there's no  
09 public hearing. I mean, the public hearing is when  
10 they have the meeting here in City Council chambers,  
11 then the public has a right to come up and voice their  
12 opinion on it. That's the way it works.

13 But in the instance of Daron, you  
14 know, it's zoned for that there, and that was the  
15 determination of the city planner and the zoning  
16 officer. They did not need to come in front of the  
17 zoning board for approval.

18 The only time they do is when  
19 there's a variance required or they come in front of  
20 the planning commission when it's something new on a  
21 parcel.

22 MS. EVANS: Yes.

23 MR. FIORINI: Okay. Now that  
24 we're on Daron Products, yesterday I had a meeting with  
25 Jim Finan, he's the chairman of the Lackawanna County  
0062

01 Railroad, Mr. Parker was there, and the owners of  
02 Daron U.S.A.

03 I'm making a first step to try to  
04 get that rail crossing in. He needs four votes from  
05 the board to get that crossing in there. He says it  
06 may be a problem and it might not be a problem, but the  
07 county commissioners told him to do what he has to do  
08 to try to get that crossing in there.

09 Mr. Parker and myself and  
10 Don King have pulled plot plans of the area around  
11 there. We're trying to get PP&L in there because  
12 there's pole lines in there.

13 The easiest thing would be if I  
14 can get the owners of the mall to vacate 15 feet or  
15 18 feet of their land, that we can use that to traverse  
16 through, otherwise we're going to have to try another  
17 route, but we still can use the same route. It's going  
18 to take time.

19 I didn't know there was problems  
20 with any dust mitigating from the property.

21 MS. EVANS: I'd like you to take a

22 look at the photo, as well. And has Daron completed  
23 its paving project.

24 MR. FIORINI: Yes, that's been  
25 completed.

0063

01 MS. EVANS: And have you been back  
02 to the location to --

03 MR. FIORINI: Yesterday was the  
04 first I was back to the area on that. I mean, I'll  
05 check it out. I think she mentioned something about  
06 the street not being cleaned, I'll take a look at that.

07 MS. EVANS: I would just suggest  
08 to you, Mr. Fiorini, that you continue to closely  
09 monitor the situation, the air quality situation.

10 From this photo, it appears that  
11 the solution hasn't been satisfactory. And I  
12 understand that you're working on a long-term solution,  
13 which would benefit everyone, and I do understand that  
14 takes time, but in the meantime, we have to stay on top  
15 of them weekly, if necessary, so that the residents  
16 aren't being subjected --

17 MR. FIORINI: Right. But they're  
18 going to have to call me and let me know what's going  
19 on so I can go down there. I can't spend every day  
20 down there, because -- can I have some more time?

21 MS. EVANS: Don't ask him. Ask  
22 Mr. President.

23 MR. DIBILEO: Go ahead, Bill.

24 MR. FIORINI: We have other  
25 problems with dust, too.

0064

01 MS. EVANS: I know.

02 MR. FIORINI: I think you have  
03 been Emailed on Boulevard Avenue.

04 MS. EVANS: Yes.

05 MR. FIORINI: They're under the  
06 Department of Mines because they're excavating all of  
07 the silt out of there. We're on top of it.

08 Yesterday they had water trucks in  
09 front of the vehicles as they were going up the roads.

10 And the dumping that's been going on is going to be  
11 cleaned up, so we're working on that right now.

12 MS. EVANS: Excellent.

13 MR. FIORINI: So, you know, one  
14 jumps from another. It's a neverending process of  
15 things.

16 MS. EVANS: I know.

17 MR. FIORINI: We have construction

18 going on. Eventually something is going to be  
19 constructed there. When, I don't know.  
20 The owners that have been doing it  
21 have been notified, and they were told point blank, if  
22 the dust keeps coming off the property, we are going to  
23 turn them over to DEP, and let DEP take it from there  
24 on that.

25 MR. DIBILEO: Mr. Fiorini, not to  
0065

01 hold up other speakers, and in the effort of fairness,  
02 could you see us in caucus with the other information?

03 MS. EVANS: Well, actually if I  
04 might, though, just one issue, because I was going to  
05 talk about it under motions and I want to take  
06 advantage of your presence, Price Rite, the stench from  
07 the liquids at Price Rite. I have a number of photos  
08 that I'd like to show Council and have you take a look  
09 at, as well. What's the progress there?

10 I've talked to Kate, I don't have  
11 her last name, she's with the management company of  
12 that, and their plumber was on vacation, and they said  
13 there are looking at two options, either they can pipe  
14 it directly to the sewer and or they're going to put in  
15 a sump pump to pipe it to the sewer. That was last  
16 week when I talked to her.

17 MR. COURTRIGHT: Bill, didn't they  
18 pave over the drain they had there? Wasn't there a  
19 drain there? The neighbors are telling me there was a  
20 drain there, and when they came in, they paved over the  
21 drain, and that's what caused the problems. Maybe we  
22 can ask them if they can just open up the existing  
23 drain that was there. I mean, that's what the  
24 neighbors are telling me. The smell is terrible.

25 MS. EVANS: Oh, it is, it's  
0066

01 abominable, but in the interim period, because I don't  
02 know how long this is going to take, I think they  
03 should make every attempt to keep this up and keep it  
04 as clean as possible.

05 MR. FIORINI: Well, they've been  
06 told to even use Clorox, to dump that in there to try  
07 to kill the smell.

08 MS. EVANS: Well, according to the  
09 neighbors, though, nothing has happened. It still  
10 smells badly. And if you could tell me, please, how  
11 long do they have to institute these solutions?  
12 I know they told you they're  
13 considering --

14 MR. FIORINI: I didn't give them a  
15 time period on it, because I felt they were cooperating  
16 with me on it. I can give them a time limit of two  
17 weeks, three weeks.

18 MR. DIBILEO: Bill, we'd  
19 appreciate it if you can do that, because I think with  
20 the heat we're having, it's making the situation really  
21 worse than it would be. We were down there, and it's  
22 pretty bad. So, if you can give them a time limit to  
23 act, please.

24 MS. EVANS: Yes, please.

25 MR. FIORINI: In fact, I'll make  
0067

01 another phone call to them today.

02 MS. EVANS: And then while they're  
03 instituting this remedy, in the meantime, as I said,  
04 will they please take care of this daily, because the  
05 neighbors can't even sit on their porches.

06 MR. FIORINI: Okay. I have no  
07 problem with that.

08 MR. DIBILEO: Thank you,

09 Mr. Fiorini. Mr. Fiorini, could you take the  
10 photographs that we have here of the Price Rite  
11 location, and also of the Daron location? Go right  
12 ahead, Mr. Morgan.

13 MR. MORGAN: Thank you.

14 Mr. DiBileo, I would like to say that after the meeting  
15 one or maybe before the meeting ends, I have a letter  
16 for you for -- you belong to an organization that  
17 Mr. Spano spoke about, and I told you I'd prepare a  
18 letter to ask for some help with a project, and I don't  
19 know if you remember that or not.

20 MR. DIBILEO: Yes.

21 MR. MORGAN: Okay. Now, what I'd  
22 like to say first is this CRF agenda, on the agenda,  
23 you know, I think that that needs to be voted no. I  
24 don't see them taking any risk.

25 I had a copy of the whole -- all  
0068

01 the legislation that was involved, it was in a packet  
02 that I had. The city's going to lose \$8 or \$9 per  
03 thousand. All the properties that are listed in that  
04 agreement have reached a point where there's absolutely  
05 no risk by this company to come in and buy them.

06 I really can't see any positive

07 point to this legislation at all in regards to the  
08 taxpayers. Now, some people on Council may disagree,  
09 and of course you make the rules here, but I can't see

10 any reason to enter into an agreement with these  
11 people.

12 And the other thing is, in this  
13 legislation, is this an open ended agreement where from  
14 what I read they may be able to continue to buy loans  
15 from the city without any more authorization from  
16 Council? And I'd appreciate it if you'd take a look at  
17 that and make sure that that is not the case.

18 Another thing I have here, and I'm  
19 glad that Mr. Walsh is with us today, 311 of the Home  
20 Rule Charter, now, and my question is for Council, do  
21 you take your oath of office seriously? And that's my  
22 question. And anybody on Council want to respond?

23 MR. DIBILEO: I think the obvious  
24 answer to that, Mr. Morgan, would be absolutely.

25 MR. MORGAN: Okay. Well, then  
0069

01 when you go to Section 312 of the Home Rule Charter,  
02 and maybe Mr. Walsh here can tell you what these words  
03 mean, because in law, shall and may mean two different  
04 things.

05 And, you know, I'll give Mr. Walsh  
06 an opportunity to tell Council what shall and may mean  
07 in law, if he wouldn't mind.

08 MR. DIBILEO: Mr. Walsh, if you  
09 don't mind. That's a legal question there.

10 MR. WALSH: Certainly. When shall  
11 is used in statutory language, it typically means that  
12 you must. When may is used, it means that you have  
13 some discretion as to whether or not you should do it  
14 or not do it.

15 MR. MORGAN: Okay. Thank you.  
16 I'm glad you cleared that up. Well, it says here that  
17 Council shall provide an independent audit, it also  
18 says that it shall be published in the newspaper, I'm  
19 just cutting out sections, by May 31. None of these  
20 things have happened.

21 And I think it's Council's  
22 responsibility to issue subpoenas, according to the  
23 Home Rule Charter, because it's not a matter where  
24 Council has any discretion. It says you shall do this.  
25 And you've taken an oath of office to uphold this  
0070

01 document.

02 MS. EVANS: Mr. Morgan, if I just  
03 might, I agree with you, and I'm well aware of the  
04 differences as an English teacher, the semantic  
05 differences, I also agree that this should have been

06 completed by May 31, which is why I made my requests  
07 well in advance to Mr. Kresefski, who then directed me  
08 to Mr. Rossi, who then explained that it would be  
09 impossible to meet that deadline because he had not  
10 received the audits of the authorities, however, today  
11 we received information that there will be an exit  
12 conference for the City of Scranton 2004 audit report  
13 on Tuesday, July 19 at 10:45 a.m. in City Council  
14 chambers.

15 Now, the good news is, this is  
16 happening approximately two months earlier than it  
17 happened last year. The bad news is, it's happening  
18 almost two months after by law it should have happened.  
19 So, I absolutely agree with you,  
20 and I made those attempts. There has been an  
21 improvement, but the improvement is still not not in  
22 compliance with our Home Rule Charter.

23 MR. MORGAN: You know, another  
24 thing I have here is, you know, we need to really take  
25 a good close look at what is going on. You know,  
0071

01 there's people in this community that haven't paid this  
02 year's taxes, they haven't paid last year's taxes, they  
03 haven't paid previous years' taxes, and, you know, in a  
04 lot of instances, it's not because they don't want to,  
05 they don't have the money, okay.

06 And when you take a look at this  
07 hotel that's going to file bankruptcy, this city and  
08 previous Councils, whoever, I don't want to point blame  
09 at anybody, but I'd be seriously concerned that this  
10 city going to take a blood bath on that hotel.

11 And there's been a lot of other  
12 fiscal mistakes made here. And, you know, we talk  
13 about pool fees and all these others things, when in  
14 reality, you know something, the people are being  
15 shorted here, and I think it's something to really look  
16 at. Thank you.

17 MS. COOK: Good afternoon, City  
18 Council. My name is Helen Cook, and I live in the  
19 Plot Section of Green Ridge.

20 MS. EVANS: Good afternoon.

21 MR. DIBILEO: Good afternoon.

22 MS. COOK: Mr. McTiernan, I'm glad  
23 you're feeling better and it's nice to see you back.  
24 Several years ago Councilman Pocius mentioned about  
25 South Washington Avenue, Elm Street and Broadway, about  
0072

01 the turn lanes and what have you, nothing was done.

02 Councilwoman Evans brought up the subject again last  
03 year.  
04 Well, finally those two  
05 intersections have been done, and it looks great. Also  
06 out in Green Ridge at Robert Morris School, the  
07 crosswalks have been painted out there for the school  
08 children, which, again, looks great.  
09 The other thing I have is, I  
10 listened to Councilwoman Evans and Attorney Walsh talk  
11 about the KO zone and about properties being fixed up  
12 if they're vacant, can you answer me why the mayor is  
13 allowed to use part of the Ritz Theater as his  
14 headquarters which is a KO zone?  
15 MS. EVANS: I think that's a very  
16 good question. That's the mayor's idea of downtown  
17 revitalization, then I think his ideas are a bit askew.  
18 MS. COOK: Well, it just seems if  
19 he's able to use that piece of property, I would think  
20 someone that maybe wanted to open up a little store or  
21 what have you would be able to do that same thing,  
22 because I'm certain he's not paying for the use of that  
23 property. So --  
24 MS. EVANS: Well, he's probably  
25 paying rent, a monthly rent to the owner.  
0073  
01 MS. COOK: But we don't know that  
02 for sure.  
03 MS. EVANS: No, we don't. I'm  
04 assuming that he would.  
05 MS. COOK: Okay. Well, I'll take  
06 your assumption. It wouldn't be mine, but I'll take  
07 yours.  
08 And just one more thing, and I  
09 don't know if this is probably proper to bring up her  
10 at Council, and it will be for Councilman DiBileo, if  
11 he choses to answer, and you may not want to, I  
12 understand there's some type of an investigation going  
13 on on you, and that people from the Scranton area are  
14 being called on this, and all I want to know, is this  
15 happening or who's conducting an investigation on you?  
16 Why would they do this?  
17 MR. DIBILEO: Well, I'll respond  
18 to that.  
19 MS. COOK: Is it true?  
20 MR. DIBILEO: Yeah. I'm being  
21 told that there's a private at investigator that's been  
22 at different offices around town --  
23 MS. COOK: That's what I'm told.



24 MR. DIBILEO: -- here at City Hall

25 and the City Council office, at the School District  
0074

01 Administration Building, in their offices there, at the  
02 county courthouse, and that there's a private  
03 investigator who is not saying who he's hired by,  
04 although I have a pretty good idea, and a pretty good  
05 idea why, but he's getting a lot of information on me,  
06 my criminal background and my voting background as a  
07 school director and as a councilman.

08 Unfortunately I think that's what  
09 the state of elections in Scranton has come to, because  
10 I think it's involving the election, I have to admit  
11 that. But, yeah, I'm being told this is going to  
12 different offices around town.

13 MS. COOK: Okay. Thank you for  
14 answering that question. Thank you, City Council.

15 MR. GERVASI: Good afternoon,  
16 ladies and gentlemen. My name is Dave Gervasi,  
17 citizen, taxpayer. By the way, Mr. DiBileo, that's  
18 called a smear campaign. When you have certain  
19 candidates that are weak on the issues, they try to  
20 smear the other person.

21 As a matter of fact, we were  
22 offered that service during the referendum campaign,  
23 but I assure you that the firefighters have a little  
24 more character than to do something like that. We  
25 never did that.

0075

01 A lot of talk here tonight about  
02 businesses, KOZs, and I'm just giving my opinion here  
03 tonight, and I've said this numerous times while  
04 speaking on this podium, that I read an article about a  
05 year ago that the state legislature, I guess a  
06 sub-committee of the state representatives were going  
07 to start investigating KOZs to see if they actually  
08 worked out the way they were supposed to work out,  
09 things like that, and was it worth the money, the  
10 public money that was given.

11 And I've read a few letters, like,  
12 on line that have pertained to that subject, and it  
13 seems that, I didn't coin the phrase, but I've been  
14 saying it here that it seems that KOZs, just in my  
15 experience in reading about them, is basically  
16 corporate welfare.

17 Getting to the Southern Union  
18 thing, and I want to do a disclaimer here right now, I  
19 understand how large corporations like Southern Union

20 work, I mean, there's always mergers and sell-offs and  
21 things change it seems monthly, and I know that  
22 subsidiaries of Southern Union have employed probably  
23 thousands of people over the years in this area with  
24 real live unionized job sustaining or family sustaining  
25 jobs, so I am in no way, shape or form knocking  
0076

01 Southern Union in any way, shape or form, but the  
02 point I'd like to make is the article that was about  
03 the KOZ that was given to that building, the article  
04 stated that Southern Union just bought out Enron, and I  
05 believe another pipeline company out west, and they  
06 spent over \$7 billion on buying these other companies,  
07 which seems as though that kept this total move or  
08 promise move into Scranton.

09 My question is, and I agree with  
10 Mr. Constantini who was here from Cox Sheet Metal, that  
11 that business has been here for, I believe he said,  
12 83 years in the City of Scranton, he hires unionized  
13 sheet metal workers, which if they're in a union, you  
14 are guaranteed that you can raise a family on that job.  
15 My problem is, why give a company  
16 that just spent over \$6 billion buying out other  
17 companies, why give them tax free status, when why  
18 don't we give a guy like Mr. Constantini tax free  
19 status so that he can now compete with these low --  
20 these companies that are paying much less to their  
21 employees, these people probably have to work two or  
22 three jobs to sustain their families, why not give  
23 people that have stuck with this city, as I've been  
24 saying for years, this KOZ status?  
25 I know why. I know why. Because  
0077

01 you know what, Mr. Constantini probably didn't donate  
02 to certain people, okay? You want to follow the money,  
03 you want to follow the KOZs, read the campaign  
04 contribution reports. It's right there in black and  
05 white.

06 Don't take my word for it, do it  
07 yourself. But, again, this has no -- I don't want to  
08 talk about Southern Union, they're a fine company and  
09 they've employed tons and tons of people, and I just  
10 think it's a shame that -- the other point about that,  
11 because this building, if this building remains KOZ, is  
12 that going to allow possibly other companies that are  
13 paying taxes or are tenants of our building owners  
14 downtown that are paying their taxes, are they going to  
15 have any fear of losing their tenants to this building

16 if they wanted to move over there?

17 MR. DIBILEO: That's probably one  
18 of the biggest fears I have, is that because of the  
19 extra space involved in the building now, and they're  
20 looking for new tenants, we'd rather get them from out  
21 of Scranton to bring them into Scranton, as opposed to  
22 having a tax-paying business possibly relocate to the  
23 tax free zone.

24 MR. GERVASI: As what happened to  
25 the --  
0078

01 MS. EVANS: We already had that  
02 occur.

03 MR. GERVASI: As what happened to  
04 the business incubator when they took a tax-paying  
05 entity out of the James Avenue Complex.

06 MS. EVANS: Of the James Avenue  
07 Complex and relocated it downtown for a tax free  
08 status, exactly. That does not help the  
09 City of Scranton. That hurts the taxpayers.

10 MR. GERVASI: I think that's what  
11 the legislature meant, a few members of the legislature  
12 that wanted to investigate KOZs, what they meant by  
13 that KOZs do nothing but cannibalize your existing  
14 businesses in town. But they're here. I guess we have  
15 to live with them.

16 The only other thing I'd like to  
17 mention is, two things, our Website, I'd like to thank  
18 Mr. Courtright for bringing it up last week, because  
19 there is a lot of educational things on our Website.  
20 It's [www.scrantonfire.com](http://www.scrantonfire.com).

21 But a few people asked if the city  
22 and the taxpayers are funding this Website, this  
23 website is totally funded with union -- it's our union  
24 website.

25 Now, it's a non-political Website.  
0079

01 We don't talk about issues. It's just things that the  
02 union does, our Scranton Firefighters do, and there's  
03 three or four of our guys that put the Website  
04 together, and it's no cost whatsoever.  
05 Any money that's incurred comes  
06 from our union. There's a lot of good -- the kids  
07 corner areas in there that teaches safety. May I just  
08 finish my thought?

09 MR. DIBILEO: Finish your thought,  
10 because we took some of your time.

11 MR. GERVASI: I have a question,

12 NCC, they were here saying that they have, I believe,  
13 it's a 25 percent penalty for people that are  
14 delinquent on their taxes, and it doesn't cost the city  
15 anything to get people -- in other words, the penalties  
16 from our citizens that they pay pays for this company.  
17 Wouldn't it be more prudent maybe  
18 to hire a few more people, say, in the treasurer's  
19 office and maybe -- the reason why I'm saying this, I  
20 know an elderly couple in their eighties that the  
21 gentleman was sick last year, and this person I know as  
22 a fact, because they're a relative of mine, and this  
23 person's wife never failed to pay anything on time in  
24 the last 60 years, but because of the chaos, somehow it  
25 got misplaced.

0080

01 She didn't know until, like, nine  
02 months later that she didn't pay last year's taxes, the  
03 property taxes, so immediately, you know, came down to  
04 pay it, but they said there's a 25 percent penalty  
05 because now NCC has it.  
06 Is there any way we can possibly  
07 for people that -- I mean, there's a legitimate reason  
08 why people are -- they had problems, medical problems,  
09 something happened, that we can at least let people --  
10 a reminder before it gets to NCC, that you're going to  
11 be making a 25 percent penalty?  
12 And once it does get to NCC --  
13 before it gets to NCC, why can't we have our own people  
14 here being paid for that will work in the City of  
15 Scranton, that must live in the City of Scranton and  
16 pay taxes in the City of Scranton, collect these same  
17 fees? What's the difference whether NCC does it or we  
18 do it in house and we make the money?  
19 MS. EVANS: That's a very good  
20 point. One, I think, we'll consider between now and  
21 December when the contract with NCC is due for renewal  
22 or termination.  
23 MR. DIBILEO: Thank you,  
24 Mr. Gervasi.  
25 MR. GERVASI: Thank you.

0081

01 MS. STULGIS: I'm Ann Marie  
02 Stulgis, resident of Scranton, and I'm also president  
03 of the Fraternal Order Of Police.  
04 I just primarily have a few  
05 updates for you just to keep you involved in what's  
06 going on. One of the things is, I know some of you are  
07 familiar with what is called a Cobra in health care,

08 and it is governed by federal regulations.  
09 Federal regulations mandate that  
10 if someone is going to lose their medical insurance,  
11 they must be notified a specific number of days prior  
12 to the ending of that medical insurance so that they  
13 have the opportunity to get a Cobra.  
14 Well, it seems the City of  
15 Scranton got rid of clerks and they don't have anybody  
16 to do that now, so people are not being notified under  
17 federal guidelines.  
18 As a matter of fact, one  
19 individual was notified in mid-June that he no longer  
20 had medical insurance effective May, which of course is  
21 a federal law violation.  
22 We have another individual who is  
23 a student, son of a police officer, and he's away at  
24 college as a full-time college student, he has turned  
25 23, however.

0082

01 He had an allergy to a drug and  
02 suffered very serious life threatening complications.  
03 He was immediately taken to an emergency room, he  
04 required a great deal of treatment, they kept him for a  
05 while, and his medical bill was outrageous, obviously.  
06 His bill wasn't paid.  
07 He contacted the city, the human  
08 resources department, and went through everything, and  
09 their response was, Well, too bad. He doesn't have  
10 insurance anymore.  
11 And he said, Well, I looked, he  
12 said, federal guidelines say you have to notify me of a  
13 Cobra. And he was told, Well, I guess you're just  
14 going to have to pay it, because we're too busy to  
15 notify people. So, I think we're probably looking at  
16 another lawsuit there, because that is in fact  
17 violation of federal guidelines.  
18 Also regarding the state of the  
19 city pension fund, they have lost another million  
20 dollars this past quarter.  
21 On health care, I'm sure you all  
22 remember that the fire arbitration years ago resulted  
23 in the arbitrator ordering the formation of a health  
24 care committee so that the employees could force the  
25 city to bring health care costs under control.

0083

01 We hired someone, she saved the  
02 city \$5 million, cut health care costs by \$5 million,  
03 so this administration promptly fired her.

04 It took over two years to get them  
05 to hire someone to replace her. They did hire a  
06 company named Elite, but they don't do what she did.  
07 As a matter of fact, aside from having one meeting with  
08 them, we don't know that they do anything other than  
09 get paid by the city.  
10 So, we forced them to hire a  
11 company named Seagal, you people approved it, it  
12 happened a good seven months ago. We've been trying to  
13 get together to get a handle on health care costs.  
14 During police and fire  
15 arbitration, the city testified about how much  
16 health care was costing, how this year they wanted to  
17 deduct \$7,000 a year from the paychecks of the  
18 employees, they wanted retroactive \$6,000 for last year  
19 and \$5,000 for the year before, which meant people  
20 would be taking home about \$100 a month.  
21 They had all these facts and  
22 figures for arbitration; however, I have the letter  
23 here from the Seagal Corporation, because they had to  
24 cancel another health care committee meeting. Why?  
25 Because human resources still has not been able to  
0084  
01 supply the information that's needed.  
02 Some of the things that is needed  
03 is how much is Elite costing. Well, human resources  
04 hasn't been able to supply that in seven months.  
05 They want copies of authorization  
06 letters; in other words, for Seagal to get a handle on  
07 what medical care cost, they have to send authorization  
08 letters, human resources does, to Aetna, to the dental,  
09 that type of thing.  
10 Well, they haven't done it yet in  
11 seven months, and they haven't done it. So, I just  
12 wanted to bring that to light, because health care  
13 costs are spiraling out of control, and the city's  
14 preventing us from getting them under control. And I  
15 just don't understand that.  
16 Also, if you are interested, I did  
17 check what is allowed in light industrial areas, so  
18 that you would know, and I have the paperwork here,  
19 and one of the things that is not allowed, and I repeat  
20 not allowed in the light industrial area, is cement.  
21 The actual manufacturer of cement  
22 is not allowed in a light industrial area. So, I don't  
23 know what they're making out there --  
24 MR. COURTRIGHT: It's cinder  
25 block, so it's probably a little bit different, because

0085

01 it's cinder block.

02 MS. STULGIS: Well, the women

03 weren't sure just what it is, but I have all this

04 stuff, and it's real easy to determine what's light

05 industrial, and it really doesn't have to do with heavy

06 manufacturing at all, because, for instance, a tavern

07 couldn't be light industrial.

08 MS. EVANS: I know Mr. Fiorini had

09 said, though, that one of their storage bins contains

10 cement. When I requested that he determine what

11 materials were in the storage bin because neighbors

12 were concerned they might be toxic materials, he told

13 me it was cement.

14 MR. COURTRIGHT: Yeah, he's

15 correct. You know, I break cinder blocks in what I do

16 for a living, and they put a certain amount of cement

17 in each cinder block, I just know, because the more

18 cement they put in, the harder it is for us to break

19 them, so there is a certain amount of cement in there.

20 MR. POCIUS: But it's not

21 manufactured there.

22 MR. COURTRIGHT: It's not

23 manufacturing.

24 MS. EVANS: So, they're just

25 storing it, they're obtaining it elsewhere.

0086

01 MR. POCIUS: When cement is

02 manufactured, you really see these big bins and these

03 big gigantic towers and the aggregate is crushed and

04 it's ground up. That is a really heavy industrial type

05 of operation. They're just buying the product and

06 storing it and using it in their process.

07 MS. EVANS: Okay. Mrs. Stulgis,

08 though, two quick questions before you depart, first of

09 all, the city does have VASCAR equipment, correct?

10 MS. STULGIS: That's correct.

11 MS. EVANS: Is it currently in

12 use?

13 MS. STULGIS: I don't know if the

14 city's is in use, but a number of police officers

15 purchased their own meters and they get their own

16 meters at their own personal expense. They bought

17 their own and they use their own. They get them

18 certified and keep them up to date and they use them on

19 their own.

20 MS. EVANS: And officers have to

21 be assigned, though, to let's say a speed check detail

22 in an area, in a specific area? Would they have to be  
23 assigned by a supervisor or the chief of police?

24 MS. STULGIS: Probably only

25 because if you're going to do speed, we used to have a  
0087

01 car, it was called Car 20, which was a specific bid,  
02 which did speed throughout the city.

03 If you're going to do it, you're

04 going to need to make sure that police officer isn't  
05 going to get called for another call; in other words,  
06 if he's running speed, he can't respond to you a  
07 domestic and things like that.

08 MS. EVANS: Because we're

09 experiencing, what I consider to be, at least an  
10 increase in crime in this city and inadequate numbers  
11 of police officers to address the ever growing needs.

12 I can understand why speeding has to take, let's say, a  
13 back seat or go onto the back burner for certainly much  
14 more important life-threatening issue.

15 That was why I had mentioned at

16 the last Council meeting about bringing in the

17 State Police and radar, but I then remembered about the  
18 VASCAR, and I understand we have our own capabilities,

19 and our police force is tremendous, and they're more  
20 than capable of doing this work, and in fact generating

21 revenue for the city, but, you know, again, I guess

22 that's something that would be an assignment they would  
23 receive, and those type of assignments right now just

24 can't occur, because we're suffering from such an  
25 increase in crimes throughout our neighborhoods.

0088

01 So, I understand the cars are patrolling.

02 MS. STULGIS: That's what they're

03 doing. And one thing they are doing, you can only

04 enforce speed on certain streets, because there are

05 rules on the posting of signs, of speed signs, the

06 distance between speed signs, things like that.

07 But one thing they do continue to

08 do relatively easy, and you can still manage to respond

09 to all your calls, is they'll patrol the Expressway,

10 because there isn't, you know, people parked on side

11 streets and people crossing the street, so it's a

12 little easier to patrol, and they can do that and they

13 do do that in between calls for speed. That's much

14 easier for them to do, whereas on a city street, you do

15 have people crossing streets and it makes it a little

16 more difficult.

17 MS. EVANS: But I just wanted the



18 department to understand that it was never my intent to  
19 question their ability, it was never my intent to take  
20 any work and place it outside those residents of  
21 Scranton.

22 I know what type of job they do,  
23 and I know they can do this as well, it's just there  
24 aren't enough of them.

25 MS. STULGIS: That's true.

0089

01 MR. DIBILEO: Thank you,  
02 Mrs. Stulgis. Thank you, Mrs. Evans. Are there any  
03 other speakers?

04 MR. WALSH: 5-A, motions.

05 MR. DIBILEO: Mr. McTiernan, do  
06 you have any motions or comments at this time?

07 MR. McTIERNAN: Thank you,  
08 Mr. President. I walked in at the end of a speaker's  
09 remarks, and I didn't catch all of the speaker's  
10 remarks about my opinions and my positions.  
11 It's probably worthwhile noting  
12 that the gentleman that was highlighting my positions  
13 and my positions, I don't know his name, I've never had  
14 a personal conversation with him, so whatever he's  
15 gleaming from my positions is probably conjecture.  
16 I'm more than willing to have a  
17 conversation with him, and I am not going to go through  
18 my curriculum vitae with regard to what I support and  
19 what I don't support.  
20 I'm also not prone to giving my  
21 elders advice; however, I would caution the fact that  
22 painting with a broad brush sometimes when you are not  
23 having personal contact with people may be  
24 inappropriate, certainly could be construed as  
25 dangerous, and certainly is not fair.

0090

01 But I will go through a few  
02 things: In my job as an administrator for the Scranton  
03 School District, it's my job to be sure that I provide  
04 a global vision for the buildings that I administer,  
05 and that includes all demographic groups, regardless of  
06 what the speaker inferred.

07 And I have numbers of things that  
08 I have been involved with regarding a variety of  
09 demographic groups. Some of them have been by job  
10 description, some of them, quite frankly, sir, have  
11 been voluntary.

12 So, I would offer a difference of  
13 opinion of your characterization of my opinions. And

14 as a youngster, which you might characterize me as, I  
15 think it would be good advice of be careful of painting  
16 with a broad brush without having personal conversation  
17 with someone. Thank you, Mr. President.

18 MR. DIBILEO: Thank you,

19 Mr. McTiernan. And by the way, I'm not exactly sure  
20 what you had done with your back, but I'm glad that  
21 you're hopefully doing better and glad to have you  
22 back.

23 MR. McTIERNAN: Thank you.

24 MR. DIBILEO: Mrs. Evans, any  
25 motions or comments?

0091

01 MS. EVANS: I'm very glad you're  
02 back, too, and I've been keeping you in my prayers, and  
03 I'll continue to until I see you at school and you're  
04 back to your old self.

05 MR. McTIERNAN: Thank you.

06 MS. EVANS: Good afternoon, ladies  
07 and gentlemen. Two quick announcements here, I have  
08 received the Community Development Block Grant  
09 applications, and I have them available for all of the  
10 neighborhoods or any type of organizations within the  
11 city and the neighborhoods who are anxious to obtain  
12 them can contact me immediately, and I'll be very happy  
13 to get them to you immediately.

14 Also, I received some news about  
15 Parker Street today from the Scranton Sewer Authority,  
16 Mr. Lennox of the SSA has agreed to clean the catch  
17 basins as a favor to the city on those streets that are  
18 sorely affected by flooding. We have discussed those  
19 problems at a caucus meeting with Mr. Parker two weeks  
20 ago.

21 Jay -- missing. I'll come back to  
22 that for Jay.

23 MR. DIBILEO: He said he had to  
24 leave early today.

25 MS. EVANS: Oh, he's gone. On  
0092

01 vacation?

02 MR. DIBILEO: Yeah, on vacation  
03 actually. He had to leave early today.

04 MS. EVANS: Very nice. Then Neil,  
05 I'll ask you, please, to take notes and save this for  
06 Mr. Saunders.

07 I'd welcome a letter to  
08 Ms. Hailstone requesting the date when the Sloan Little  
09 League will receive its CDBG allocation.

10 I'd also like to know if the  
11 \$50,000 CDBG allocation has been released yet to the  
12 neighborhood police patrols.  
13 Also, a letter to Mr. Fiorini, I  
14 didn't get to ask him this earlier, what is the  
15 progress on the tagging and removal of abandoned and  
16 junk vehicles in the Hill Section.  
17 I've received many, many  
18 complaints from residents over the past four weeks that  
19 nothing has been done, and I'm hoping, I know  
20 Mr. Fiorini is overwhelmed with work, but I'm hoping he  
21 will be able to get an inspector out there, even a few  
22 hours per week, and hopefully rectify that problem.  
23 Now, there's been an awful lot of  
24 talk today from our audience members concerning  
25 Southern Union and the Hilton, and I must admit for  
0093

01 many months I've heard rumors, one being that very few  
02 jobs were coming to Southern Union in Downtown  
03 Scranton, and the other was that the Hotel Hilton  
04 suffered from extraordinarily low occupancy rates, and  
05 that a foreclosure would be forthcoming.  
06 Now I'm hearing rumors about  
07 Sanolfi Pasteur, are they coming, and frankly I  
08 squashed all rumors that I heard believing that our  
09 mayor would certainly make public these enormous  
10 developments if they were true.  
11 Now I learned that Mr. Doherty  
12 knew as far back as December 2004, and said nothing.  
13 He's not being up-front with the people, he's purposely  
14 withholding vital information, in the case of the  
15 Hotel Hilton, for eight months for political reasons.  
16 He didn't want us to know that his  
17 quickly arranged deals were crumbling before the  
18 primary election occurred.  
19 We only know now because the  
20 Time Leader in Wilkes-Barre broke the Southern Union  
21 story and the truth about the Hilton could no longer be  
22 hidden, and I think that maybe the best we can hope for  
23 now is that Southern Union will be able to bring a  
24 dozen of its corporate jobs to Scranton and offer a few  
25 blue collar jobs to our city residents.

0094

01 And as far as the Hilton is  
02 concerned, perhaps we're looking at the sale of  
03 furniture and other interior items, unless of course  
04 the mayor decides to include those items in a new deal.  
05 These businesses are, you know,

06 considering which one we're referencing, are either  
07 multi-million or multi-billion dollar entities, and  
08 they will land on their feet, regardless of what  
09 happens, but I can't say the same for us, the  
10 taxpayers.  
11 Wasted money by this  
12 administration is really escalating, and I wonder will  
13 he tell us first before we have to read it in a  
14 Wilkes-Barre newspaper or the Scranton Times, will he  
15 tell us if there are any potential problems with  
16 Sanolfi Pasteur.  
17 Now, this week, very recently, in  
18 fact, I was up at Nay Aug Park, and I walked the  
19 Davis Trail and I went down to the gorge platform, and  
20 I noticed that the plaque Mr. Scopelliti promised to  
21 erect the evening he attended our city caucus meeting  
22 was not indeed put up.  
23 I also noticed that if you take,  
24 there are actually two ways in which you can approach  
25 the platform, and one is far more dangerous than the  
0095  
01 other, and in fact, I happened to be coming down, the  
02 one where the ground has actually cracked and crumbled  
03 and has huge jagged holes in it, and I slid down.  
04 Now, that's okay for me, you know,  
05 not that I'm a young women, but I'm not on Social  
06 Security yet, and so I recovered very quickly. I don't  
07 know that others would be as fortunate, so I'm hoping  
08 that that situation will be taken care of for the  
09 benefit of everyone who would like to enjoy that  
10 gorgeous view and the lovely Davis Trail.  
11 I proceeded to the new playground,  
12 and I noticed that not far from the playground are --  
13 well, actually it's a pile of wood, and much of this  
14 lumber contains very large nails, and I assume it would  
15 be the remnants of the playground project, but it's  
16 still setting there for any passerby, any teenager to  
17 pick up, any child to fall into, and I'm hoping that  
18 Mr. Scopelliti will take care of that.  
19 And as I proceeded to the pool  
20 area, I noticed the very small playground that is  
21 adjacent to that location, and that suffers from a good  
22 deal of graffiti.  
23 and I actually went to that  
24 particular location, because a young mother with two  
25 children called me and told me about that, she had  
0096  
01 taken her children there before the pool opened and she

02 told me about the graffiti, she also told me at the  
03 time there were a number of broken beer bottles in the  
04 vicinity.

05 Now, when I went there, I did not  
06 see any broken glass, so I'm very glad that that was  
07 taken care of, but I think we need to get on the other  
08 issues.

09 And then very strangely, because I  
10 know Mr. DiBileo and one of our audience members were  
11 discussing the fact that an investigation of  
12 Mr. DiBileo is being conducted, and it just reminded me  
13 of what happened while I was at the park, when I was  
14 approaching the area of the smaller playground, an  
15 SUV came up alongside my car and stayed there until I  
16 had examined the playground equipment, we walked back  
17 to the car, and when I reentered the car, then the SUV  
18 moved along and parked in a parking lot near the  
19 Everhart, which was not very far from where my car  
20 was.

21 And so being curious, I parked in  
22 the parking lot, and this gentleman immediately got on  
23 a cell phone and remained there in the SUV for well  
24 over ten minutes watching me.

25 So, I have to wonder, Mr. DiBileo,  
0097

01 when did this investigation or observation of you  
02 begin?

03 MR. DIBILEO: Well, I think it's  
04 about two weeks ago that it was verified that a private  
05 investigator was here at the City Council office asking  
06 for my financial interest reports, and around that time  
07 that they were at the county courthouse asking for my  
08 criminal background information, and at the school  
09 district administration building asking for my previous  
10 voting records as a school director, so I guess about  
11 two weeks ago.

12 And, again, he said he was a  
13 private investigator who was hired by someone unnamed.  
14 And I don't know who it is, but like I said, I have an  
15 idea, and I have an idea why.

16 But as I said, I think that's what  
17 the state of elections in Scranton is coming to and has  
18 come to. And I don't know who was watching you, but  
19 probably not the same investigator.

20 MS. EVANS: Well, I certainly hope  
21 not, although maybe I'll have to do a little  
22 investigating of my own here at City Hall, because I do  
23 find it very odd.

24 I'm just -- I'm not only a  
25 Councilperson, but I'm a citizen, and I have every  
0098  
01 right to go to Nay Aug and walk the trails and use the  
02 pool and watch children playing on equipment without  
03 being followed and without, you know, having someone  
04 watching every move that I'm making.  
05 While I'm on the issue of the  
06 park, this mayor took Nay Aug Park and gave it to the  
07 Recreation Authority, as we all know. To  
08 Rec. Authority, on the other hand, gives Council the  
09 bills.  
10 A member of the Recreation  
11 Authority has recently said at one of their meetings  
12 that Council gives the Recreation Authority no money.  
13 That is false.  
14 Council pays significant bills  
15 with absolutely no control over Nay Aug Park. The  
16 Recreation Authority should pay all Nay Aug bills,  
17 since they collect the Fees and they apply for grants  
18 and they set fees as an autonomous body.  
19 So, I propose that we wipe out of  
20 the budget all expenses for Nay Aug, and in addition,  
21 we wipe out of the capital improvement budget all  
22 expenses for Nay Aug contained within fund ten.  
23 Now, these are just a very few of  
24 the items that you've been able to ascertain. We have  
25 two pool managers, I believe. They could pay the costs  
0099  
01 for one. That's roughly \$5,000.  
02 The Recreation Authority solicitor  
03 happens to be an assistant city solicitor. As their  
04 solicitor, just as Mr. Greco serves the  
05 Redevelopment Authority, I believe they should be  
06 paying for his services thereby reducing the city's  
07 salary payment to the individual.  
08 A Recreation specialist, there is  
09 more than one, but I'm sure one of the two does most of  
10 the overseeing at Nay Aug Park for \$35,000; the  
11 lifeguards; concession stand employees; pool chemicals  
12 and equipment; maintenance and operation of the pool  
13 house; the new bridge that is going to be built a  
14 quarter of a mile down from the gorge, if the city is  
15 to incur any costs, that should go to the  
16 Recreation Authority; performing arts for \$12,500;  
17 spring and summer programs for \$19,206.19; the  
18 Wildlife Center, \$50,000; the Everhart, \$50,000; the  
19 Davis Trail; the Christmas lights, including storage,

20 setup and breakdown; the reflecting pond; all repairs  
21 that have occurred and any future maintenance;  
22 landscaping; tree removal, and I'm still not certain if  
23 Kalinosky Landscaping has been paid the remaining  
24 \$450,000 it's owed for the area in front of the  
25 Everhart Museum.

0100

01 I know the initial \$700,000 was  
02 paid by the mayor using the security deposit from the  
03 University of Scranton for the sale of the South Side  
04 Complex, so those are just rough figures.  
05 I can't give you the exact figures  
06 on lifeguard salaries, for example, or concession stand  
07 employees, because I honestly do not know how many are  
08 employed and what wages there are receiving. Those are  
09 all compiled together in a category called other  
10 salaries, that includes casual workers and many other  
11 types of workers within the city, so it's very  
12 difficult to break that down.  
13 However, it can be done, I'm sure,  
14 with the assistance of human resources or the personnel  
15 office, but all of these expenses, I think, I at least  
16 am very anxious to transfer to the Recreation  
17 Authority, and I would ask Council, are there any  
18 comments?

19 MR. DIBILEO: Yeah, I have one. I  
20 think I see your point, Mrs. Evans, that  
21 City Council is very involved in the funding of  
22 activities at Nay Aug, yet at the same time  
23 City Council is not able to be involved in any voting  
24 regarding fees at Nay Aug, and that certainly doesn't  
25 make sense to me as a City Councilperson.

0101

01 MS. EVANS: Well, it's that, as  
02 well as the fact that we have practically no control  
03 over any activity or venture that occurs at Nay Aug  
04 Park.  
05 And just as the Redevelopment  
06 Authority I think has great muscle, great control, I'd  
07 like to see the Recreation Authority have that, but  
08 that doesn't come without a price tag; in other words,  
09 you can't -- you know, I'm not going to let my  
10 neighbors tell my kids they're getting them a new car  
11 and then my neighbors are going to give me the bill for  
12 the new car to pay for my children.  
13 So, I think if they want to  
14 control Nay Aug, then they must accept the  
15 responsibility, the fiscal responsibility, for the

16 operation and maintenance of every aspect of that park  
17 and, again, I would like to pull all of these items out  
18 of the city and capital improvement budget.

19 MR. POCIUS: How do you plan to do  
20 that?

21 MS. EVANS: I think we could make  
22 a motion for an ordinance and pass the ordinance, and I  
23 know it's not unprecedented that budgets have been  
24 amended.

25 MR. POCIUS: So, who suffers,  
0102

01 Mrs. Evans, the people you're trying to protect here  
02 every week, are they the ones who are going to suffer?

03 MS. EVANS: Oh, no, no, no,  
04 they're not going to suffer, because the --

05 MR. POCIUS: Why wouldn't they  
06 suffer?

07 MR. POCIUS: Because the  
08 Recreation Authority is going to be in charge of the  
09 money. They collect fees, they take donations, they  
10 apply for grants. And you know what, the sale of the  
11 municipal golf course, that money was to be placed in a  
12 trust fund as promised by the mayor at the time of the  
13 sale of that golf course.

14 Although it's never occurred, his  
15 intention, I believe, was to provide for the  
16 maintenance of the park system, and they can certainly  
17 utilize that money, or if not, I'm sure to date the  
18 interest earned on the CDs sitting at FNCB hasn't been  
19 touched, they could certainly, I'm sure, have at the  
20 very least the interest earned on the CDs, if not, you  
21 know, the monies coming from a trust fund if  
22 Mr. Doherty would ever fulfill his promise.

23 They can seek sponsorships,  
24 donations such as Children's Advocacy has received from  
25 Southern Union. We have many corporations and  
0103

01 businesses within our city, I'm sure, more than anxious  
02 to be good neighbors, and in addition to that, as I  
03 said, they can conduct fund-raisers, and they are  
04 already collecting fees and donations at Christmastime.

05 They've just, as I said, applied  
06 for a grant for a feasibility study for the new zoo,  
07 which came as news to City Council, so I think that  
08 they're up to the task, and I'm not -- my intent is not  
09 to punish anyone. I think I've demonstrated that my  
10 concern for the people of this city is genuine. But I  
11 believe it's ludicrous --



12 MR. POCIUS: Oh, I think it's  
13 fiscally --  
14 MS. EVANS: -- to be paying the  
15 bills and have absolutely no control over a situation.  
16 Would you do that in your business?  
17 MR. POCIUS: My business doesn't  
18 -- Mrs. Evans, I mean, a motion like that, to me,  
19 fiscally irresponsible. I mean, not knowing if this  
20 park could even sustain itself on the donations and  
21 everything that's available to it right now.  
22 To run a park on donations or out  
23 of a tin cup is not what I think this Council is all  
24 about. They have controls over the fees for setting  
25 the fees for Nay Aug Pool, which is the only thing that  
0104  
01 I think is of any consequence right now.  
02 As an authority they have a right  
03 to seek grants and everything else, which is under  
04 their prerogative under the Authorities Act.  
05 So, I would not support any motion  
06 that would do this. It's too drastic a motion without  
07 a backup plan. There's no way that you can say  
08 absolutely for certainty that what you're proposing  
09 could actually happen and could actually allow the park  
10 to continue to function and other parks to function the  
11 way they are functioning right now without an impact on  
12 the people who use them.  
13 MS. EVANS: Well, first of all,  
14 I'm not removing the remaining six pools and parks from  
15 the budget, this is solely Nay Aug; and No. 2, I would  
16 ask you if you consider the proceeds from the sale of  
17 the Municipal Golf Course to be a tin cup.  
18 MR. POCIUS: Well, it was put  
19 aside. I wasn't on Council and I didn't vote on that  
20 particular ordinance, and I don't really know --  
21 understand exactly the ins and outs of that, I was not  
22 here at the time, and -- so that's not a tin cup.  
23 But I mean, as far as saying we're  
24 going to run this and we're going to get enough  
25 corporate donators to come up and take care of this  
0105  
01 park and we're going to have people standing there in  
02 the winter at the Christmas lights, I mean, all I'm  
03 trying to say is that that sounds like -- I just don't  
04 know where you're coming from.  
05 I mean, I do know where you're  
06 coming from on the motion, but I just don't want to be  
07 a part of it.

08 MS. EVANS: Well, I'm just trying  
09 to -- I didn't make a motion actually, I made a  
10 proposal and I was --  
11 MR. POCIUS: I am not going to  
12 support either the motion or the proposal, because I  
13 think it's way too drastic at this point in time.  
14 MR. DIBILEO: Let me add that I  
15 know that you did not make a motion.  
16 MR. POCIUS: That's true.  
17 MR. DIBILEO: I think what you're  
18 trying to get to is the fact that what's occurring does  
19 not make sense as far as, you know, all the involvement  
20 Council has, yet they have no say in the matter, and  
21 that doesn't make sense either.  
22 But, you know, I would say that  
23 until a motion is made, I know that you're not trying  
24 to say anything that would hurt anyone --  
25 MS. EVANS: No, because in fact my  
0106  
01 intent here is to protect the taxpayers. Right now  
02 through the city budget, they're paying for everything  
03 that occurs at Nay Aug, and then they're being asked  
04 again to use it. They've paid for all of these  
05 improvements, and my intent is protecting them.  
06 Let the body, the governing body  
07 who oversees the park, assume the financial burden  
08 there. And I believe if we go back in time to the  
09 initiation of this administration, the mayor stated  
10 that he wanted the park system to be self-supporting,  
11 that he was going to turn every neighborhood park over  
12 to the neighborhood and that Nay Aug would become  
13 self-sufficient, self-supporting through private  
14 donations and sponsorships and fees, etc.  
15 Now it's almost four years later,  
16 and that has not transpired, and I'm simply trying to  
17 first and foremost protect the interests of the people  
18 of this city, protect their dollars.  
19 And secondly, I'm exercising  
20 common sense. Give the person who makes the bill the  
21 bill.  
22 And thirdly, I'm only trying to  
23 bring to fruition the mayor's vision. Maybe he needs a  
24 little assistance. And perhaps it's time that the  
25 Municipal Golf Course funds begin to work in the manner  
0107  
01 that he originally stated and promised. That's all.  
02 Mr. Courtright.  
03 MR. COURTRIGHT: Just briefly, you

04 know, I think I understand what Mrs. Evans is saying,  
05 that the city is bearing the brunt of all the costs and  
06 we have no say in how that park is operated, and I  
07 disagree with that, I don't think that is the way we  
08 should do it. I think if we want to bear the brunt of  
09 the costs, we should have a say in it.  
10 And being that she didn't make a  
11 motion, now I'll look into a little bit more of what  
12 she's saying, because I don't know how we go about  
13 pulling something out of the budget and how we alter  
14 the budget and how it would work. So, that part there,  
15 I'd like to take a, you know, a closer look at.  
16 But I do agree with the fact that,  
17 you know, we have absolutely nothing to say about what  
18 goes on up there, and we in fact are the ones that  
19 ultimately pass the budget to pay the bills, so I  
20 disagree with that process.  
21 But being that you didn't make a  
22 motion, I'll have time to find how this would be  
23 implemented and if it would be a good thing, I'll have  
24 time to take a look at that.

25 MS. EVANS: Yes. That's why I  
0108

01 made it in the form of a proposal publicly so that  
02 Council has time to consider it and the people are  
03 aware at the same time. It's not a back room deal. I  
04 put it right here on the table at the same time for  
05 everyone to consider, and if it has support, then I  
06 will make that in the form of a motion, and I would ask  
07 Attorney Walsh to investigate how properly and legally  
08 that goal could be achieved.

09 MR. DIBILEO: Thank you,

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

11 MR. POCIUS: Yeah, a couple  
12 comments and really no motions, just a couple comments.  
13 Concerning Mr. Narsavitch's  
14 comments, I wasn't going to debate him up here back and  
15 forth, he has a right to his opinion, I certainly have  
16 a right to my opinion. I'll stand behind my comments,  
17 and I'll let it go at that. I'm not going to get into  
18 any kind of debates.

19 A lot has been said today about  
20 Southern Union, and I did that awful thing, I picked up  
21 the phone and actually called Tom Karam to see what was  
22 going on down there. I had a little time getting a  
23 hold of him, because he does spend a lot of time  
24 between here and Houston, Texas, they have a -- it's  
25 almost -- that's where Southern Union is located.

0109

01 I was able to talk to Maura Gavin,  
02 who is one of his associates down at the address at  
03 417, and they're in the building down there right now.  
04 And finally I did get a chance to  
05 talk to Tom and we talked in generalities over the  
06 phone concerning what Southern Union has meant to the  
07 downtown and so on and so forth.  
08 I asked him if there was something  
09 he could just give me so I can kind of come back with  
10 some stuff, and he gave me some points which I looked  
11 at, and I just want to make them public here, that  
12 since the building has started, Southern Union has paid  
13 over \$115,000 in building permits to the city. That's  
14 almost 25 years of property taxes that were being paid  
15 by the previous owners.  
16 This was not a campaign  
17 contribution to Southern Union. The WYOU building of  
18 which they occupy, I think it's 90 some percent of the  
19 site was designated a KOZ two years prior to Southern  
20 Union buying it. It might have been when I was on  
21 Council the first time or it might have been in the  
22 second round after I left Council.  
23 Southern Union employed, it was  
24 represented by Mr. Constantini, over 31 local  
25 contractors, who in turn employed 250 workers, of which  
0110  
01 200 of whom were union workers who haven't had a chance  
02 to work in their hometown in a long time, and I applaud  
03 that.  
04 Because like Mr. Gervasi said, we  
05 don't always agree, but I agree on this, union jobs  
06 such as these are family sustaining jobs where a person  
07 can raise a family, educate their children and live in  
08 the comfort and the style and life that they should  
09 live in.  
10 And these poor fellows, especially  
11 electricians and a lot of these people, had to journey  
12 to Delaware, New York City, New Jersey and God knows  
13 where to work in unionized jobs because of the lack of  
14 work in the downtown.  
15 Just an average salary of the type  
16 of people they're bringing here, excluding Mr. Karam,  
17 the average salary of the people working in that  
18 building will be well over \$70,000.  
19 They've given in relocating the  
20 two people that moved out of there to allow this  
21 project to happen, Southern Union provided \$220,000 in

22 financial assistance to Galucci Music and Steamtown  
23 Trading.  
24 And kind of what Maryanne said  
25 before, they have provided since 2002, over a half a  
0111  
01 million dollars to local organizations serving the  
02 area, charitable contributions.  
03 Tom said this, when he always knew  
04 that they would have 100 employees, and they're still  
05 on track to bring that here. It may be on a little  
06 slower time scale, but they're definitely trying to  
07 bring that many employees here.  
08 As such a nationwide and a  
09 worldwide concern, Mr. Karam has been contacted by  
10 numerous businesses from outside the city who want to  
11 know what they think of the opportunities in Scranton,  
12 and he says, They're wonderful, but he thinks that, you  
13 know, that this negative, if there is negative  
14 publicity, it would not -- it would definitely hurt a  
15 nationwide corporate center from looking in coming  
16 here, if it looks like someone is going to invest over  
17 \$20 some million in a building and get criticized for  
18 doing it.  
19 When they purchased the property,  
20 they had to pay over \$22,000 in back taxes on the  
21 property that was there, and they used as many as they  
22 could local vendors for a majority of their goods and  
23 services that they put in the building, as evidenced by  
24 Mr. Constantini's firm, other local firms and  
25 contractors who had a chance to bid on various aspects  
0112  
01 of the project and provide services to the project.  
02 A lot of the different materials,  
03 furnishings, sheet metal, whatever, windows, glass,  
04 cement, everything was bought locally and it was used  
05 in the building.  
06 So, I think they have made a  
07 rather staunch commitment to the city, and it may not  
08 be on the timetable that everyone would like it to see,  
09 but I think by their -- like someone said, that  
10 building is going to be there for a lifetime. It will  
11 be there long after we're there.  
12 And all we can hope is that  
13 hindsight is 20/20, looking into the future is somewhat  
14 vague at times, and we just hope that the good things  
15 that are going to happen there continue on the course  
16 they're on. That's all on that issue.  
17 Another issue, Mr. McTiernan,

18 welcome back. As a member of Council that missed an  
19 entire month due to back surgery in 2001, I know  
20 exactly what you went through. I wish you the best. I  
21 did get an opportunity to talk to you before you went  
22 into your surgery.

23 To tell you the type of guy he  
24 was, when I called him on Wednesday night from  
25 vacation, I was sitting in a restaurant enjoying a nice  
0113

01 meal with my wife, and Bob was still at work trying to  
02 clear up some stuff at school so he could leave with a  
03 good conscience to drive to the hospital the next  
04 morning.

05 So, I kept you in my prayers, Bob,  
06 and I wish you the best, because it's a slow process  
07 and it's -- you always have a bad back, it never goes  
08 away. You've got to be careful for the rest of your  
09 life and stay in shape and do what the doctor tells you  
10 and avoid activities that could throw you out of whack,  
11 because when they get in there, it's a tough haul.  
12 That's really, I think, all I have right now. Thank  
13 you, Mr. President.

14 MR. DIBILEO: Thank you,  
15 Mr. Pocius. Mr. Courtright, motions or comments?

16 MR. COURTRIGHT: Yes,  
17 Mr. President. Father Paul, he's a priest at St. Ann's  
18 Basilica, in the recent past was assigned to the FBI  
19 out in New York City, and he's come here and he's been  
20 a force in this area, he's very active.

21 He, along with I believe a  
22 Scranton firefighter, and I hope I don't destroy your  
23 name, Bob Soltevitich, and I think a firefighter from  
24 New York City took about eight or so young men from  
25 this area, they raised money to go to West Virginia on  
0114

01 their own, they went down to West Virginia for a week,  
02 they used monies that they raised to renovate a how  
03 down there for people that needed it, so I just want to  
04 thank them for that. That was, you know, nice of both  
05 Father Paul and the firefighter to donate their time to  
06 go down and help this family out.

07 Hyde Park Avenue near the  
08 Lincoln School, I got a couple of calls yesterday. You  
09 know, I think we all know we have some gangs here in  
10 the area, and what appears to be, and I can't say for  
11 sure, some local gang members attacked an individual in  
12 that area the other night, two nights ago, and we were  
13 lucky enough that we had two undercover cops from the

14 City of Scranton, whose names I won't mention, right on  
15 the scene and grabbed up the guys and made an arrest,  
16 so the neighbors wanted to say how pleased they were to  
17 see the Scranton police officers there, they were  
18 undercover cops.

19 Jay isn't here, so, Neil, I hate  
20 to do this to you, if you could take a little note  
21 there for me, I received pretty promptly from  
22 Dave Elliot and then later on from Jim Wintermantle,  
23 who is in charge of taking care of this illegal parking  
24 that's going on out in front of City Hall, and I would  
25 just ask one thing, I know the Parking Authority has a  
0115

01 board, I don't know if it's called a board of directors  
02 or whatever, but if I can have the names of the members  
03 of the board there, and if in fact we get any federal  
04 or state funds, who oversees that for the state or  
05 federal government, if I can get that information.  
06 I hate to keep going over this  
07 pool fee, and I actually thought it was over a while  
08 back, and here we find it here again, and I was kind of  
09 upset about the comment that the mayor made and he  
10 calls us the majority of Council, If we were genuinely  
11 concerned for the welfare of the swimmers, you know, we  
12 wouldn't have just brought this up.

13 I've been on this issue since I've  
14 been on Council. I did not just before this up. I  
15 remember way back, even with Mr. McTiernan, I tried to  
16 get him to see my way on some items and talked once or  
17 twice with even him about it, so it isn't an issue that  
18 I just this summer brought up.

19 I've been on this thing forever,  
20 so I take offense to the fact that he's saying that I'm  
21 doing it for politics. I'm not running for office at  
22 this time, I've got a couple more years left before I  
23 decide if I'm going to run again.

24 And the other thing I'm upset for,  
25 I didn't realize they had somebody investigating  
0116

01 Mr. DiBileo, and I think that's pretty sad if that's  
02 the point we've come to, we're going around using  
03 private investigators, because during the primary they  
04 had a gentleman from the West Scranton area that's been  
05 a pillar and just a wonderful person investigated and  
06 really upset him and accused him of things that I don't  
07 believe he did, and so I would just hope that all this  
08 nonsense would stop, and that's what I think it is,  
09 nonsense if we're sending out investigators to try to

10 dig up dirt on people.  
11 If it does have to do with the  
12 election, let's just run the election and not get into  
13 this type of thing.  
14 And one more, if I could, Neil, I  
15 would ask that, you know, Mrs. Stulgis made some  
16 accusations here about health care, if we can get what  
17 Mrs. Stulgis said in writing and ask Mrs. Moran to  
18 answer to those accusations, all right? Because I  
19 think most certainly we need to get health care under  
20 control. And that's all I have, Mr. President. Thank  
21 you.

22 MR. DIBILEO: Thank you,  
23 Mr. Courtright. First let me apologize, my  
24 dollar-store reading glasses broke, and I'm going to  
25 use ladies glasses, my assistant, Nancy's glasses.

0117

01 But you just brought up a good  
02 point, I think, and I'm not going to mentioned any  
03 investigation that's going on with me again, because  
04 that's fine, I guess everybody has a right to hire an  
05 investigator, but you brought up a point about a  
06 gentleman from West Scranton who has been involved  
07 politically for over 50 years, and he's very, very well  
08 respected in West Scranton in the Saint Lucy's area,  
09 he's a senior citizen, and most people that I know of  
10 have the utmost respect for the gentleman, and for some  
11 reason, he was investigated, as you said, this past  
12 primary election season.

13 And just so that people are aware  
14 of what might be going on behind the scenes, there was  
15 a woman, that I'll not mention her name, going around  
16 to the individuals in West Scranton that happened to  
17 turn their absentee ballots into this gentleman, and  
18 he's been doing it for 50 years.

19 They are seniors themselves and  
20 they don't get out to the poles and they asked this  
21 gentleman to handle their absentee ballots, basically  
22 could you turn them in. He turns them in basically,  
23 And they had an investigator  
24 knocking on their door saying that the person was from  
25 the voter registration office.

0118

01 Well, it turns out she wasn't with  
02 voter registration, she was a campaign worker with the  
03 Doherty For Mayor Campaign, and they investigated these  
04 absentee ballots.

05 It turned out that no action was



06 taken, no charges were filed, somebody was just trying  
07 to send a message, because they thought this individual  
08 might not be for a particular candidate.  
09 And there was a lot of people that  
10 were very upset in the Cabrini Avenue area,  
11 Saint Lucy's area that were seniors, and they became  
12 afraid. They became afraid that they were going to be  
13 arrested for some reason, that they were being  
14 questioned and subpoenaed to go before and be  
15 questioned by attorneys about their absentee votes. I  
16 think someone was trying to say that this individual  
17 was involved in how they were voting.  
18 Well, I'll tell you what, he took  
19 it like a real man. He did not get intimidated, he did  
20 not get nervous, and I worried about that, his wife did  
21 and a lot of people involved with these absentee  
22 ballots got very nervous.  
23 As a matter of fact, one woman,  
24 and I'm not going to say why, but she's since passed  
25 away, supposedly she was having problems through the  
0119  
01 years with asthma and her asthma got kicked up, and I'm  
02 not saying that has anything to do with what happened  
03 that I'm talking about. Some people think it could.  
04 Anyway, this private investigator  
05 business I think is for the birds. Why don't we just  
06 have elections and go head to head and leave everybody  
07 else out of it?  
08 On another matter, there's a  
09 Workers' Compensation piece of legislation that we'll  
10 be entertaining shortly. I had questions on it. It's  
11 involving the City of Scranton's Workers' Compensation  
12 Trust Fund Reserve Account and whether or not that can  
13 be used for so-called buyouts of individuals that are  
14 off work on disability under Workers' Compensation, and  
15 I contacted the self insurance division of the  
16 Workers' Compensation Bureau, and George Knehr, the  
17 chief, responded to my questions, and I appreciate  
18 that, and I have my answers.  
19 But Mr. Knehr brings up a good  
20 point in his response back to me, and I'd like to get a  
21 response from the administration on this before we go  
22 ahead and formalize the legislation possibly, if we  
23 can, because I don't think holding it up any longer is  
24 going to jeopardize anything.  
25 But in his letter here he says  
0120  
01 that according to the bureau's health and safety

02 division, the City of Scranton has not applied for  
03 approval of a workplace safety committee under our  
04 certification program, meaning the bureau's  
05 certification program.  
06 Perhaps the city should consider  
07 creating and implementing such a committee. Studies  
08 have consistently shown that employers participating in  
09 the commonwealth's work place safety committee  
10 certification program have 24 to 28 percent lower  
11 average claims costs when compared to employers who are  
12 eligible but do not participate in the program.  
13 So, the City of Scranton is  
14 eligible and is not participating in the program, and  
15 I'd like to have them possibly consider this, because  
16 we certainly would like to have 24 to 28 percent lower  
17 average Workers' Comp. claims costs. I'd like to get  
18 their response on that, if we could.  
19 Jay's not here, but possibly Neil  
20 or Mark could take this down, there's a question by a  
21 resident of the Mt. Laurel Estates Development  
22 regarding a question whether or not it's a private  
23 development and entitled to city paving, city cleaning,  
24 city plowing, etc.  
25 I'm not certain what's happening  
0121  
01 up there, but this resident is questioning that, and  
02 I'm wondering if we can't get maybe somebody here might  
03 even be aware of what the situation is, but in addition  
04 to that question, there's a retention pond up there  
05 that it was required to have a fence around the pond,  
06 and there's no fence around that retention pond, and  
07 that's a safety issue. So, I wonder if we can get some  
08 answers, whether or not they're entitled to city street  
09 services.  
10 MR. POCIUS: MR. President, where  
11 is that. Is that the one on East Mountain?  
12 MR. DIBILEO: I believe so.  
13 MR. POCIUS: It's kind of stuck up  
14 there.  
15 MR. DIBILEO: On the top of  
16 East Mountain.  
17 MR. POCIUS: I think to answer part  
18 of the question, the roads are somewhat messed up up  
19 there. Sometimes they're, you know, I don't know if  
20 they're exactly in the right of ways they're supposed  
21 to be, and I think Ariele Avenue or some other street  
22 goes through there.  
23 There may be city streets that may

24 come through both sides, I'm not sure, but I think from  
25 my experience up there, I'm not aware of the retention  
0122  
01 pond situation, when that was put in.  
02 There was a large detention pond  
03 that we put in on the East Mountain Road project, which  
04 is over in that area, but that included a fence and the  
05 whole nine yards.  
06 And with PennDOT doing the  
07 inspection, I'm sure that's all done, but I don't  
08 know -- maybe we should send that down to Mr. Parker  
09 and maybe he can take -- give us an answer back, you  
10 know?  
11 MR. DIBILEO: I'd like to.  
12 MR. POCIUS: I know where it is.  
13 MR. DIBILEO: I'll give this Email  
14 to Neil, because I've gotten a couple of Emails on this  
15 situation and haven't gotten any answers for this  
16 individual.  
17 The 2300 block of Watrous Street  
18 hasn't been paved in a long time and a resident there  
19 is questioning whether or not that can be possibly  
20 added to the paving program.  
21 MS. EVANS: Off Ash, right?  
22 MR. DIBILEO: That's off Ash,  
23 right. And I understand that there are two or three  
24 holes there that are over a foot deep and maybe about  
25 2 to 3 feet wide, so it's going to need, I think, some  
0123  
01 extensive repair.  
02 MR. DIBILEO: Yeah. I understand  
03 there's only two or three houses on that block, and  
04 that's the only block of Watrous Street in the city,  
05 and they seemed to be getting a little bit ignored, and  
06 it could be because of the fact there's not a lot of  
07 people living there, however, let's look into it. If  
08 nothing else, maybe we can at least get those big  
09 potholes filled in the meantime. See if we can get  
10 that on the paving program list.  
11 I brought something up last week  
12 or possibly two weeks ago, and that was involving -- I  
13 questioned who paid for an ad that was in the  
14 Inaugural Edition of the Scranton Times, and the ad was  
15 reading, The Next Chapter In A Great Story, and it was  
16 with Mayor Doherty and Restoring The Pride on it, and  
17 he's basically acknowledging the great job that the  
18 Scranton Times does and how, you know, how happy we are  
19 to have the Scranton Times here, and it starts out

20 saying, What would the City of Scranton be without The  
21 Scranton Times?

22 And he goes on to acknowledge

23 them, and I just wondered who paid for the ad, because

24 it just doesn't seem as though the taxpayers should be

25 paying, and there's no small print on the bottom that

0124

01 would say Pay for by the committee, you know,

02 Doherty For Mayor Committee.

03 But the publishers of the

04 Scranton Times personally have contributed to

05 Mr. Doherty's campaign, which is their right, and

06 Chris Doherty has a right to congratulate the

07 Scranton Times, but I don't think it should be at the

08 expense of the taxpayers.

09 So, I just, I wrote a letter to

10 him asking him for a response on who paid the bill, if

11 it's paid yet, and I haven't gotten a response yet.

12 So, I'd like to ask Mr. Walsh to ask Mr. Saunders to

13 follow up on that for me. And that's all I have.

14 MS. EVANS: Mr. President, if I

15 could beg your pardon for just one minute.

16 MR. DIBILEO: Absolutely.

17 MS. EVANS: Two items that I

18 forgot, actually one I forgot and one that I need to

19 clarify, 916 Monroe Avenue, clogged sewer drain or

20 catch basin. It's causing ponding of water and, again,

21 it's creating a very foul odor and attracting insects,

22 particularly mosquitoes, and this is my second request

23 for that particular problem to be address, and

24 secondly, the clarification, because I've heard so much

25 today about these multi-million and multi-billion

0125

01 dollar corporations coming to our city locating

02 headquarters or branch offices, etc., I just wanted to

03 be certain that everyone understand that I am most

04 supportive of those entities, and I appreciate all that

05 they bring to the City of Scranton, whether it is a new

06 building, construction of jobs, donations to charitable

07 organizations, I am most appreciative. All I had

08 desired was simply this in the case of Southern Union,

09 that Mr. Karam would have come to City Council for a

10 caucus meeting where he could discuss precisely what

11 was transpiring with the company with its relocation

12 from Wilkes-Barre to Scranton, any extenuating

13 circumstances, and I requested this in order to avoid

14 any type of negative publicity or stain on

15 Southern Union, because at the time rumors were

16 swirling throughout the city, and whether  
17 Southern Union recognized it or not, they were  
18 receiving a black eye, and I had hoped to clear that  
19 up.  
20 Perhaps Mr. Karam will still come  
21 and give us a more precise picture of what he brings to  
22 Scranton and all the benefits we stand to reap.  
23 Secondly, I want to be sure that  
24 they remain in compliance with the status that they  
25 have been granted by the State of Pennsylvania.

0126

01 I'm certain that, you know, as  
02 I've discussed with a very knowledgeable individual,  
03 their attorneys can ascertain that information and  
04 insure that that is the case, but I would just hate to  
05 see the negative publicity that could accompany that  
06 type of development if we overlooked any of the print,  
07 shall we say, in that agreement.  
08 And I hope that puts an end once  
09 and for all for, you know, any concerns about  
10 Southern Union or, let's say, any defensive attitudes  
11 people might pursue by mistakenly categorizing my  
12 perception of the situation. And that's all.

13 MR. DIBILEO: Thank you,

14 Mrs. Evans. Mr. Walsh.

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

16 INTRODUCTION - AN ORDINANCE - AMENDING FILE OF COUNCIL  
17 NO. 68, 2004, ENTITLED, AN ORDINANCE AUTHORIZING THE  
18 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF  
19 SCRANTON TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE  
20 CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND  
21 DEVELOPMENT PROGRAMS TO BE FUNDED UNDER THE COMMUNITY  
22 DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT  
23 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY SHELTER GRANT  
24 (ESG) PROGRAM, BY REALLOCATING \$125,000.00 FROM PROJECT  
25 NO. 99-100, COMPREHENSIVE HOUSING REHABILITATION

0127

01 PROGRAM, TO A NEWLY CREATED PROJECT ENTITLED ARTSPACE.

02 MR. DIBILEO: At this time I'll

03 entertain a motion that Item 5-B be introduced into its  
04 proper committee.

05 MR. POCIUS: So moved.

06 MR. COURTRIGHT: Second.

07 MR. DIBILEO: On the question?

08 MR. POCIUS: Just on the question,

09 Mr. President. I received a call from Paul Coliezzi,  
10 and I got back to him, and I guess it was to describe  
11 the project, and can we just ask for a letter from him

12 describing what the project is all about, or maybe you  
13 know. He didn't get a chance to get back to me on it.

14 MR. DIBILEO: Yeah, I actually  
15 talked with him and ended up meeting with him, along  
16 with Mr. Courtright, and the project really appears to  
17 be a good project, and it's hard to explain, so during  
18 our meeting I asked Mr. Coliezzi if he could actually  
19 come for the public's sake next week at six o'clock and  
20 explain this project to not only City Council, but to  
21 our community.

22 MR. POCIUS: That's fine. That's  
23 even better.

24 MR. DIBILEO: So, it's on the  
25 agenda. If it's going to pass, we'd like to see it  
0128

01 pass before we take our break in August, so that's what  
02 we'll have happen next Thursday at six o'clock.

03 MR. POCIUS: Thank you.

04 MR. DIBILEO: Anyone else?

05 All those in favor, signify by saying aye.

06 MR. McTIERNAN: Aye.

07 MS. EVANS: Aye.

08 MR. POCIUS: Aye.

09 MR. COURTRIGHT: Aye.

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

12 MR. WALSH: 5-C, FOR INTRODUCTION  
13 - AN ORDINANCE -

14 MR. POCIUS: Excuse me.

15 Mr. Walsh, Mr. Walsh, Mr. Walsh, I'd like to make a  
16 motion on 5-C that we change the spelling of Dixon  
17 Avenue, which is erroneously spelled in both the  
18 heading and the body, change it from D-I-X-O-N, to  
19 D-I-C-K-S-O-N.

20 MR. WALSH: May I make a  
21 suggestion, Mr. Pocius, I believe because it's never  
22 been introduced before, it would be proper to read it  
23 and then introduce it on the question.

24 MR. POCIUS: We've often done this  
25 in the past, amended it before it's gone in, because  
0129

01 right now it's really nothing.

02 If we amend it before it's

03 introduced, it doesn't have to carry that amended title

04 all the way through, but I'll go on your advice, but

05 we've done this a zillion times in the past. We were

06 always instructed to amend it before. It's up to you.

07 MR. POCIUS: We have sort of a

08 hybrid here, because we read things three times, so  
09 oftentimes you'll amend them before a sixth or a  
10 seventh reading, but perhaps --

11 MR. POCIUS: It's a clerical  
12 thing, it's not a policy thing, Mr. Walsh. It's just a  
13 clerical thing where Dickson was spelled with an X,  
14 rather than a C-K-S-O-N.

15 MR. WALSH: I understand.

16 MR. DIBILEO: It has to be the  
17 right street. Mr. Walsh, to be safe, would you mind if  
18 we went ahead and made a motion to change the spelling  
19 now prior to reading it, would that be okay?

20 MR. POCIUS: It's not like we're  
21 changing any intent to the ordinance, it's just a  
22 little clerical change.

23 MR. DIBILEO: Do you want to make  
24 that motion?

25 MR. POCIUS: I'll make it.

0130

01 MR. COURTRIGHT: Second.

02 MR. DIBILEO: Okay. We have a  
03 motion on the floor and a second to change the spelling  
04 of Dickson Avenue to D-I-C-K-S-O-N throughout the  
05 ordinance. On the question? All those in favor,  
06 signify by saying aye.

07 MR. McTIERNAN: Aye.

08 MS. EVANS: Aye.

09 MR. POCIUS: Aye.

10 MR. COURTRIGHT: Aye.

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

13 MR. WALSH: 5-C, FOR INTRODUCTION

14 - AN ORDINANCE - ESTABLISHING A PERMANENT SIGN ON THE  
15 1700 BLOCK OF DICKSON AVENUE PROHIBITING TRUCK PARKING  
16 AND/OR TRUCK IDLING BETWEEN 7:00 P.M. AND 7:00 A.M.

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

20 MR. POCIUS: So moved.

21 MR. COURTRIGHT: Second.

22 MR. DIBILEO: On the question?

23 MR. POCIUS: Mr. Walsh, another  
24 question for you, would we need a public hearing on  
25 this, only because it's setting up a totally new

0131

01 precedence, it's not changing the duration like we did,  
02 15 to 30 or, you know, it's kind of --

03 MR. WALSH: I think it would be

04 advisable.

05 MR. POCIUS: To maybe make it --

06 to give some standing to the enforcement of it later  
07 on.

08 MR. WALSH: Certainly.

09 MR. POCIUS: Can we maybe check?

10 Is it possible to have one next week? We should to  
11 keep this rolling, right?

12 MS. EVANS: Yes.

13 MR. WALSH: If you would like, we  
14 could vote on this and then make a motion for the  
15 hearing.

16 MR. POCIUS: Gary, do we have any  
17 public hearings next week?

18 MR. DIBILEO: We have the caucus  
19 meeting for the Artspace legislation at six, but I  
20 don't see why we can't be finished up by 6:45 for that  
21 or even 6:30.

22 MS. EVANS: Yes, because as John  
23 noted, I think it's imperative that this is passed  
24 before we recess for August.

25 MR. POCIUS: And let's not have  
0132

01 any loop hole where someone could say you never had a  
02 public hearing. I know an ordinance is needed to  
03 enforce it, because it's a special type of parking  
04 regulation, so maybe we're safe to have a public  
05 hearing next week, so let's pass it and we can make a  
06 motion for 6:45 next week and advertise it as such.

07 MR. DIBILEO: Great. Okay. So,  
08 on the legislation, all those in favor, signify by  
09 saying aye.

10 MR. McTIERNAN: Aye.

11 MS. EVANS: Aye.

12 MR. POCIUS: Aye.

13 MR. COURTRIGHT: Aye.

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

16 MR. POCIUS: I make a motion that  
17 we hold a public hearing on 5-C next week, which would  
18 be the 21 at 6:45 p.m. in Council chambers and  
19 authorize the staff to advertise said public hearing.

20 MR. COURTRIGHT: Second.

21 MR. DIBILEO: Okay. We have a  
22 motion on the floor and a second on the public hearing  
23 at 6:45. On the question? All those in favor, signify  
24 by saying aye.

25 MR. McTIERNAN: Aye.



0133

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. WALSH: 5-D, FOR INTRODUCTION

07 - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

08 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

09 QUALIFIED SELLER AGREEMENT (QSA) WITH COMMUNITY

10 REINVESTMENT FUND, INC. (CRF) WHICH AGREEMENT WOULD

11 QUALIFY THE CITY TO SELL OUTSTANDING LOANS FROM THE

12 CITY OF SCRANTON, OFFICE OF ECONOMIC AND COMMUNITY

13 DEVELOPMENT.

14 MR. DIBILEO: At this time I'll

15 entertain a motion that 5-D be introduced into its

16 proper committee.

17 MR. POCIUS: So moved.

18 MR. COURTRIGHT: Second.

19 MR. DIBILEO: On the question?

20 MS. EVANS: Yes. I'm going to

21 vote to introduce these two pieces of legislation

22 tonight or today, rather, in fifth order, but with

23 great reservation.

24 I'm still considering my sixth and

25 seventh order votes, because this deal is littered with

0134

01 conflicting stories.

02 First of all, according to the

03 paper, no one told CRF the deal was approved, yet they

04 issued or pursued a bond issue without any legislation

05 ever having reached this dais.

06 Now, what company borrows over

07 \$5 million when they don't know that they have a deal,

08 when it's, you know, undecided unstable?

09 Then the deal had to be

10 consummated by June 30, that's what we were originally

11 told, or we would lose the opportunity for this deal.

12 Next I heard, Consummate by

13 June 30, or the deal cannot come before you for another

14 six months.

15 Now it's July 14, we're

16 entertaining it in 5th order and it's going to pass by

17 the end of July, so which -- well, I know that story

18 number one obviously we can eliminate, but which of the

19 other two is the truth?

20 Then, according to the paper,

21 there are no loans pending for the use of this \$5.2

22 million, nothing. Well, then I ask, Why the rush?

23 Now, the purpose -- or rather one

24 of the purposes of this revolving loan program is to

25 provide loans for the future, five years from now, ten,  
0135

01 fifteen, twenty, and as those payments come in from

02 current loans, they fund other businesses in the

03 future, but what we're looking to do right now is take

04 the cream of the crop.

05 It's like take the roses out of my

06 garden and leave the dandelions and milk weeds for me,

07 but give me all that money right now. Well, what

08 happens in the future when those payments aren't coming

09 in? What about those future businesses, two, five, ten

10 years from now.

11 Now, this \$5 million, I say we're

12 getting it in this questionable manner, where I've been

13 presented with one contradiction after another, because

14 there is a plan for that \$5.2 million.

15 Now, with the history of this

16 administration, often -- well, not often, sometimes

17 providing less than truthful responses to Council, and

18 circumventing Council, I have to exercise caution when

19 I look at such a fast deal.

20 And, so what I want is simply

21 this, bottom line, answer the question. Mr. Doherty,

22 what are you using this money for, because this doesn't

23 add up.

24 So, before I can vote to approve

25 this, I want that answer, and if that answer doesn't

0136

01 could, I will not be voting to approve this. I will

02 only introduce it. That's all.

03 MR. DIBILEO: If there's no

04 further questions, all those in favor of introduction,

05 signify by saying aye.

06 MR. McTIERNAN: Aye.

07 MS. EVANS: Aye.

08 MR. POCIUS: Aye.

09 MR. COURTRIGHT: Aye.

10 MR. DIBILEO: Aye. Opposed? The

11 ayes have it and so moved.

12 MR. WALSH: 5-E, FOR INTRODUCTION

13 - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

14 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

15 LOAN PURCHASE AGREEMENT WITH COMMUNITY REINVESTMENT

16 FUND, INC. (CRF) FOR THE PURCHASE OF FOURTEEN LOANS

17 MADE BY THE CITY OF SCRANTON, OFFICE OF ECONOMIC AND

18 COMMUNITY DEVELOPMENT.

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

22 MR. POCIUS: So moved.

23 MR. COURTRIGHT: Second.

24 MR. DIBILEO: On the question?

25 All those in favor, signify by saying aye.

0137

01 MR. McTIERNAN: Aye.

02 MS. EVANS: Aye.

03 MR. POCIUS: Aye.

04 MR. COURTRIGHT: Aye.

05 MR. DIBILEO: Aye. Opposed? The

06 ayes have it and so moved.

07 MR. WALSH: 5-F, FOR INTRODUCTION

08 - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

09 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

10 REIMBURSEMENT AGREEMENT NO. 048764 WITH THE

11 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF

12 TRANSPORTATION FOR THE 500 BLOCK OF LACKAWANNA AVENUE

13 HOMETOWN STREETS PROJECT.

14 MR. DIBILEO: At this time I'll

15 entertain a motion that Item 5-F be introduced into its

16 proper committee.

17 MR. POCIUS: So moved.

18 MR. COURTRIGHT: Second.

19 MR. DIBILEO: On the question?

20 MR. POCIUS: Just on the question,

21 Mr. Walsh, would you, the same thing, some of these

22 disagreement does not have enough signature lines on to

23 make it city compliant, you need to have the controller

24 and the city solicitor, and I think the mayor, too, so

25 just to alert the law department. I think there's room

0138

01 to modify it. It's a clerical thing.

02 MR. WALSH: Okay.

03 MR. DIBILEO: Okay. If there's no

04 further questions, all those in favor, signify by

05 saying aye.

06 MR. McTIERNAN: Aye.

07 MS. EVANS: Aye.

08 MR. POCIUS: Aye.

09 MR. COURTRIGHT: Aye.

10 MR. DIBILEO: Aye. Opposed? The

11 ayes have it and so moved.

12 MR. WALSH: Sixth order. 6-A,

13 READING BY TITLE - FILE OF COUNCIL NO. 138, 2005 -

14 AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER  
15 APPROPRIATE CITY OFFICIALS TO DESIGNATE AN AMOUNT NOT  
16 TO EXCEED \$17,500.00 FROM ACCOUNT NO. 94-400, REPAYMENT  
17 OF URBAN DEVELOPMENT ACTION GRANTS (UDAG), FOR PUBLIC  
18 FACILITY IMPROVEMENTS AT WESTON PARK TEENER LEAGUE.

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

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

23 MR. COURTRIGHT: Second.

24 MR. DIBILEO: On the question?

25 All those in favor, signify by saying aye.

0139

01 MR. McTIERNAN: Aye.

02 MR. POCIUS: Aye.

03 MS. EVANS: Aye.

04 MR. COURTRIGHT: Aye.

05 MR. DIBILEO: Aye. Opposed? The

06 ayes have it and so moved.

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

08 - FILE OF COUNCIL NO. 139, 2005 - AN ORDINANCE - SALE

09 OF TAX DELINQUENT PROPERTY AT 501 JADWIN STREET,

10 SCRANTON, PENNSYLVANIA, TO JAMES E. AND

11 KATHLEEN E. PAYESKI, 503 JADWIN STREET, SCRANTON,

12 PENNSYLVANIA, 18509, FOR THE SUM OF \$2,500.00.

13 MR. DIBILEO: You've heard reading

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

15 MR. POCIUS: Mr. President, I move

16 that Item 6-B pass reading by title.

17 MR. COURTRIGHT: Second.

18 MR. DIBILEO: On the question?

19 All those in favor, signify by saying aye.

20 MR. McTIERNAN: Aye.

21 MR. POCIUS: Aye.

22 MS. EVANS: Aye.

23 MR. COURTRIGHT: Aye.

24 MR. DIBILEO: Aye. Opposed? The

25 ayes have it and so moved.

0140

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

02 - FILE OF COUNCIL NO. 140, 2005 - AN ORDINANCE - SALE

03 OF TAX DELINQUENT PROPERTY AT 1114 BLAIR AVENUE,

04 SCRANTON, PENNSYLVANIA, TO ROBERT GAVERN, P.O. BOX

05 20132, SCRANTON, PENNSYLVANIA, 18502, FOR THE SUM OF

06 \$5,000,00.

07 MR. DIBILEO: You've heard reading

08 by title of Item 6-C. What is your pleasure?

09 MR. POCIUS: Mr. President, I move

10 that Item 6-C pass reading by title.

11 MR. COURTRIGHT: Second.

12 MR. DIBILEO: On the question?

13 On the question, this legislation is the sale

14 obviously of a tax delinquent property, and for a

15 reason I am not totally familiar with, at this time

16 Mr. Gavin was wondering if we might be able to move

17 this along into seventh order this evening, so we may

18 have a motion to do that, to help Mr. Gavern out for

19 his reasoning. If there's no further questions, all

20 those in favor, signify by saying aye.

21 MR. McTIERNAN: Aye.

22 MS. EVANS: Aye.

23 MR. POCIUS: Aye.

24 MR. COURTRIGHT: Aye.

25 MR. DIBILEO: Aye. Opposed? The

0141

01 ayes have it and so moved.

02 MR. POCIUS: Would it be prudent

03 to approve the two of them, two tax delinquents just to

04 get rid of them both? Okay. I make a motion we

05 suspend our rules and move 6-B and 6-C into seventh

06 order.

07 MR. COURTRIGHT: Second.

08 MR. DIBILEO: Okay. We have a

09 motion on the floor and a second. On the question?

10 All those in favor, signify by saying aye.

11 MR. McTIERNAN: Aye.

12 MS. EVANS: Aye.

13 MR. POCIUS: Aye.

14 MR. COURTRIGHT: Aye.

15 MR. DIBILEO: Aye. Opposed?

16 The ayes have it and so moved.

17 MR. WALSH: Seventh order.

18 7-A, FOR CONSIDERATION BY THE COMMITTEE ON FINANCE -

19 FOR ADOPTION - FILE OF COUNCIL NO. 137, 2005 -

20 AMENDING FILE OF THE COUNCIL NO. 252, 2003, THEREBY

21 AMENDING FILE OF THE COUNCIL NOS. 188 OF 1994 AND 103

22 OF 1995 AS SET FORTH IN THE SCRANTON CODIFIED CODE AT

23 SECTION 332-20 PERTAINING TO FEES FOR USE OF

24 FACILITIES, TO AMEND THE FEES FOR THE USE OF OUTDOOR

25 CITY POOLS OTHER THAN NAY AUG PARK. MOTION TO OVERRIDE

0142

01 OR SUSTAIN MAYOR'S VETO.

02 MR. DIBILEO: What's the

03 recommendation of the chairperson for the committee on

04 finance?

05 MS. EVANS: As chair for the

06 committee on finance, I recommend final pass of  
07 Item 7-A.  
08 MR. WALSH: 7-A is whether or not  
09 we're going to it override or sustain the mayors veto.  
10 MR. DIBILEO: Okay.  
11 MR. WALSH: So, I guess the motion  
12 would be whether we're going to override or to sustain  
13 the veto. So, your motion then is --  
14 MS. EVANS: Yes.  
15 MR. COURTRIGHT: Second.  
16 MR. WALSH: It may have been  
17 unclear clear from the way I read it. I apologize.  
18 Sometimes when you get to the override of the vetoes,  
19 believe me, it gets confusing. So, the motion on the  
20 floor is to override the mayor's veto with respect to  
21 7-A.  
22 MR. COURTRIGHT: Yes.  
23 MR. DIBILEO: That's right. Thank  
24 you. On the question? Is there --  
25 MS. EVANS: Yes. Mr. Courtright,  
0143  
01 were you about to speak?  
02 MR. COURTRIGHT: No, I seconded  
03 it.  
04 MS. EVANS: Okay.  
05 MR. DIBILEO: Let me say that I  
06 find it somewhat hard to believe that a mayor would  
07 actually be so bold to veto free swimming gone for  
08 children, and especially underprivileged children.  
09 What makes this veto especially  
10 troublesome, in my opinion, is that four years ago on  
11 April 17, 2001, the Scranton Times reported  
12 Councilman Chris Doherty, and here is the article off  
13 the internet, Councilman Chris Doherty says, well, the  
14 article reads, Councilman Doherty agreed with the plan,  
15 and this was an article regarding the fact that pools  
16 would be free that year, Councilman Doherty agreed with  
17 the plan, adding that charging the underprivileged  
18 children to use the pools defeated the purpose of  
19 having public swimming spots.  
20 And that particular year, for  
21 whatever it's worth, \$1500 was budgeted for revenue for  
22 the pools that year, but my question is this, what  
23 would make a mayor blatantly flip-flop and go back on  
24 his own words from what he says as a Councilman  
25 compared to what he says as a mayor?  
0144  
01 On June 9, 2005, which was four,

02 five weeks ago, I made a motion to have free swimming  
03 this year, that evening the vote was 5-0 that evening.  
04 Some Council members changed their vote, which is  
05 something that I was criticized of by the mayor.  
06 Now, from one week to the next  
07 Council members can change their votes, and on June the  
08 9th, after that 5-0 vote, I stated publicly that the  
09 administration, two days before the opening of the  
10 pools, I suggested at that time the administration  
11 consider not charging a fee starting with opening day  
12 on June the 11th, and instead we accept donations. And  
13 I didn't think there would be a big fall off between,  
14 you know, what was charged, as compared to what was  
15 accepted through donations.  
16 So, this may seem like just  
17 another veto, and Council has several of them, for  
18 example, like taking the South Side Complex deed back,  
19 we were vetoed on that, like legislation that Council  
20 made having a say in Nay Aug pool fees, which was  
21 discussed this evening, like returning the bidding  
22 limit back to the state, the county, and the school  
23 district level of \$10,000, which guarantees not  
24 overpaying and promotes equal participating of  
25 contractors, like when he vetoed a budget eliminating  
0145  
01 \$4 million of additional borrowing, just seven months  
02 ago, so this may seem like just another veto that  
03 affects taxpayer, but this greatly has the greatest  
04 effect on children, they're the ones who suffer.  
05 You know, I said before that  
06 identification at the pools probably would be more  
07 trouble than it's worth, as far as trying to identify  
08 who is a city resident, and I would even question  
09 whether a non-resident could find these neighborhood  
10 pools, like the Novembrino Complex and the pool down on  
11 Capouse Avenue, and the Connell Park Pool, I think  
12 non-residents are heading to Nay Aug, and this doesn't  
13 involve that, we have a fee up there.  
14 So, you know, everyone has a right  
15 to his or her vote, but I don't know, in my opinion, I  
16 think there's also right and wrong votes, and some  
17 might say that it's not about keeping -- some say it's  
18 about keeping the riff-raff out of the pools, and I say  
19 that this should have nothing to do with keeping the  
20 so-called riff-raff, no one should be referred to as  
21 riff-raff out of city neighborhood pools.  
22 And I've said before, and I'll say  
23 it again, that I think it's very unfortunate to the

24 people that would benefit there the most, I'm talking  
25 about the underprivileged children, the fact that we  
0146  
01 have a mayor who lives in a mansion and cannot relate  
02 to the struggles of the average Scrantonian.  
03 It's very unfortunate for those  
04 underprivileged children, and I would ask my fellow  
05 Council members to please put yourselves in the shoes  
06 of those underprivileged children prior to making their  
07 veto vote.  
08 MS. EVANS: I defer to the  
09 president, because this was his legislation, but I  
10 agree with everything he stated, and just wanted to add  
11 a bit of additional information.  
12 You know, I have to wonder how  
13 many city residents started a business at the age of  
14 eight or ten, I have to wonder how many kids right now  
15 probably lost their paper route because the  
16 Times has only one edition now.  
17 And, you know, I have to also  
18 wonder how many of our successful Scrantonians  
19 inherited a business from their parents, and, you know,  
20 most of us don't have that kind of benefit, we have to  
21 carve out our own lives, our own futures.  
22 And, you know, children know that  
23 nothing is free, they know at a very young age. They  
24 know the first day they go to school in September and  
25 they see the kids that have the new clothes and the new  
0147  
01 shoes, and they're wearing hand-me-downs and last  
02 year's shoes.  
03 They know they didn't get it  
04 because they're mother couldn't afford it. They know,  
05 you know, maybe as they grow a little older, they know  
06 some kids go to Disneyland on vacation, and they know  
07 all they're going to do is maybe rent a Disney video  
08 So, it's very unfortunate to me  
09 that the mayor has made this into worse than a  
10 political issue, he's made it into class warfare, and I  
11 recognize, as other members of Council do, that we have  
12 a responsibility to all families, not just some like  
13 the mayor feels, all families, because all families pay  
14 their taxes to improve all of our parks, and now he's  
15 asking them to pay to use them, and a lot of people  
16 can't do that.  
17 And I think something that  
18 qualifies as bad as denying children such simple  
19 things, is to have created such division within the



20 City of Scranton and caused class warfare. No mayor  
21 should ever govern in that manner.

22 MR. DIBILEO: Anyone else on the  
23 question?

24 MS. EVANS: I just wanted to add  
25 that since I first ran for office and my first year on  
0148

01 City Council, and now until we have a leader who has  
02 compassion and fiscal responsibility within his office  
03 and has nothing to do with politics, it has to do with  
04 good government and the people of this city.

05 MR. DIBILEO: And you also think  
06 it has to deal with being sympathetic to people less  
07 fortunate than you. Roll call, please, Neil.

08 MR. COOLICAN: Mr. McTiernan.

09 MR. McTIERNAN: No.

10 MR. COOLICAN: Mrs. Evans.

11 MS. EVANS: Yes.

12 MR. COOLICAN: Mr. Pocius.

13 MR. POCIUS: No.

14 MR. COOLICAN: Mr. Courtright.

15 MR. COURTRIGHT: Yes.

16 MR. COOLICAN: Mr. DiBileo.

17 MR. DIBILEO: Yes.

18 The recommendation to override the veto, 7-A, File of  
19 Council No. 252, 2005 unfortunately does not have an  
20 extraordinary majority vote, therefore, I declare  
21 override of the veto File of Council No. 252, 2005  
22 defeated.

23 MR. WALSH: 7-B, FOR

24 CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION  
25 - RESOLUTION NO. 153, 2005 - AUTHORIZING THE MAYOR AND  
0149

01 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER  
02 INTO A LICENSE AGREEMENT WITH THE LACKAWANNA RAIL  
03 AUTHORITY PERTAINING TO THE CROSSING OF THE RAIL LINES  
04 BY THE LACKAWANNA RIVER FLOOD CONTROL PROJECT LEVEE.

05 MR. DIBILEO: As chairperson for  
06 the committee on rules, I recommend final passage of  
07 Item 7-B.

08 MR. POCIUS: Seconded.

09 MR. DIBILEO: On the question?

10 Roll call, please, Neil.

11 MR. COOLICAN: Mr. McTiernan.

12 MR. McTIERNAN: Yes.

13 MR. COOLICAN: Ms. Evans.

14 MS. EVANS: Yes.

15 MR. COOLICAN: Mr. Pocius.

16 MR. POCIUS: Yes.  
17 MR. COOLICAN: Mr. Courtright.  
18 MR. COURTRIGHT: Yes.  
19 MR. COOLICAN: Mr. DiBileo.  
20 MR. DIBILEO: Yes. I hereby  
21 declare Item 7-B legally and lawfully adopted.  
22 MR. WALSH: 7-C, FOR CONSIDERATION  
23 BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION  
24 NO. 154, 2005 - AUTHORIZING THE MAYOR AND OTHER  
25 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A  
0150  
01 CONTRACT FOR PROFESSIONAL SERVICES WITH THOMAS J.  
02 MCLANE AND ASSOCIATES INC. FOR ANALYSIS, CONCEPT  
03 PLANNING AND DESIGN OF IMPROVEMENTS TO CONNELL PARK.  
04 MR. DIBILEO: As chairperson for  
05 the committee on rules, I recommend final passage of  
06 Item 7-C.  
07 MR. POCIUS: Seconded.  
08 MR. DIBILEO: On the question?  
09 Roll call, please, Neil.  
10 MR. COOLICAN: Mr. McTiernan.  
11 MR. McTIERNAN: Yes.  
12 MR. COOLICAN: Ms. Evans.  
13 MS. EVANS: Yes.  
14 MR. COOLICAN: Mr. Pocius.  
15 MR. POCIUS: Yes.  
16 MR. COOLICAN: Mr. Courtright.  
17 MR. COURTRIGHT: Yes.  
18 MR. COOLICAN: Mr. DiBileo.  
19 MR. DIBILEO: Yes. I hereby  
20 declare Item 7-C legally and lawfully adopted.  
21 MR. WALSH: 7-D, FOR CONSIDERATION  
22 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF  
23 COUNCIL NO. 139, 2005 - SALE OF TAX DELINQUENT PROPERTY  
24 AT 501 JADWIN STREET, SCRANTON, PENNSYLVANIA, TO  
25 JAMES E. AND KATHLEEN E. PAYESKI, 503 JADWIN STREET,  
0151  
01 SCRANTON, PENNSYLVANIA, 18509, FOR THE SUM OF  
02 \$2,500.00.  
03 MR. DIBILEO: What's the  
04 recommendation of the chairperson for the committee on  
05 finance?  
06 MS. EVANS: As chairperson for the  
07 committee on finance, I recommend final passage of  
08 Item 7-D.  
09 MR. POCIUS: Seconded.  
10 MR. DIBILEO: On the question?  
11 MR. WALSH: Mr. DiBileo, the

12 audience has the ability to speak on this question,  
13 because the rules were suspended, and it was passed so  
14 there's an opportunity for anyone in the public that  
15 would like to speak.

16 MR. DIBILEO: Is there anyone who  
17 would like to speak on 7-D, formerly 6-B? If not,  
18 Mr. Coolican, roll call.

19 MR. COOLICAN: Mr. McTiernan.

20 MR. McTIERNAN: Yes.

21 MR. COOLICAN: Ms. Evans.

22 MS. EVANS: Yes.

23 MR. COOLICAN: Mr. Pocius.

24 MR. POCIUS: Yes.

25 MR. COOLICAN: Mr. Courtright.

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01 MR. COURTRIGHT: Yes.

02 MR. COOLICAN: Mr. DiBileo.

03 MR. DIBILEO: Yes. I hereby

04 declare Item 7-D, formerly 6-B, legally and lawfully  
05 adopted.

06 MR. WALSH: 7-E, FOR CONSIDERATION

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

08 COUNCIL nO. 140, 2005 - SALE OF TAX DELINQUENT PROPERTY

09 AT 1114 BLAIR AVENUE, SCRANTON, PENNSYLVANIA, TO ROBERT

10 GAVERN, P.O. BOX 20132, SCRANTON, PENNSYLVANIA, 18502,

11 FOR THE SUM OF \$5,000,00.

12 MR. DIBILEO: What's the

13 recommendation of the chairperson for the committee on  
14 finance?

15 MS. EVANS: As chairperson for the

16 committee on finance, I recommend final passage of  
17 Item 7-E.

18 MR. POCIUS: Seconded.

19 MR. DIBILEO: On the question?

20 Would anyone like to comment on 7-E? Okay. If not,  
21 roll call.

22 MR. COOLICAN: Mr. McTiernan.

23 MR. McTIERNAN: Yes.

24 MR. COOLICAN: Mrs. Evans.

25 MS. EVANS: Yes.

0153

01 MR. COOLICAN: Mr. Pocius.

02 MR. POCIUS: Yes.

03 MR. COOLICAN: Mr. Courtright.

04 MR. COURTRIGHT: Yes.

05 MR. COOLICAN: Mr. DiBileo.

06 MR. DIBILEO: Yes. I hereby

07 declare Item 7-E, formerly 6-C, legally and lawfully

08 adopted.

09 MR. DIBILEO: Before we adjourn,  
10 very quickly, Mr. Walsh, please take a note, can you  
11 look into -- have Jay look into with the proper  
12 department, the flooding and backing up of sewer drain  
13 at 918 Monroe Avenue, okay?

14 MR. McTIERNAN: Mr. DiBileo, I  
15 have a note also I forgot during fifth order, if you  
16 would.

17 Neil, would you take a note for  
18 Jay, please. I had some complaints regarding the 300  
19 block of Leggett Street regarding a similar flap drain  
20 situation. I didn't get down there. The residents did  
21 describe the river backing up into the storm sewers, if  
22 we can have someone from the DPW with the office or  
23 flood control department to check this out, the 300  
24 block of Leggett, please. Thank you.

25 MR. DIBILEO: Thank you.

0154

01 MS. EVANS: Just one last thing,  
02 Ward Place, that needs pothole repair or paving,  
03 W-A-R-D, it's off, I believe, Cooper Avenue. Whatever  
04 they can do to rectify the situation, because they're  
05 huge like on Watrous Place.

06 MR. DIBILEO: Yeah, and on  
07 918 Monroe Avenue, have Jay look into that. Seeing no  
08 in business on the agenda, I'll entertain a motion to  
09 adjourn.

10 MR. COURTRIGHT: So moved.

11 MR. POCIUS: Seconded.

12 MR. DIBILEO: We're adjourned.

13

14 (MEETING WAS ADJOURNED.)

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

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02

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

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08 LISA M. GRAFF, RPR

08 OFFICIAL COURT REPORTER

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