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02 SCRANTON CITY COUNCIL MEETING

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08 Held:

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09 Thursday, August 18, 2005

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11 Time:

12 7:00 p.m.

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14 Location:

15 Council chambers

15 Scranton City Hall

16 340 North Washington Avenue

16 Scranton, Pennsylvania

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23 Lisa M. Graff, RPR

24 Court Reporter

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01 CITY OF SCRANTON COUNCIL:

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03 MR. GARY DIBILEO, COUNCIL PRESIDENT

04

05 MS. JANET E. EVANS, VICE-PRESIDENT

06

07 MR. WILLIAM COURTRIGHT

08

09 MR. ROBERT McTIERNAN

10

11 MR. MARK WALSH, ESQUIRE, SOLICITOR (arrived when noted)

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13 MR. JAY SAUNDERS, CITY CLERK

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15 MS. KAY GARVEY, 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. Kay, can we have a roll call, please?

04 MS. GARVEY: Mr. McTiernan.

05 MR. McTIERNAN: Here.

06 MS. GARVEY: Mrs. Evans.

07 MS. EVANS: Here.

08 MS. GARVEY: Mr. Pocius.

09 Mr. Courtright.

10 MR. COURTRIGHT: Here.

11 MS. GARVEY: Mr. DiBileo.

12 MR. DIBILEO: Here. For the

13 record, Mr. Pocius was unable to make tonight's

14 meeting, and we hope to see him next week.

15 I'd like to ask all people in the

16 audience to refrain from speaking, please. Thank you.

17 Especially when someone is at the podium. If we can

18 dispense with the reading of the minutes.

19 MR. SAUNDERS: 3-A, CONTROLLER'S

20 REPORT FOR THE MONTH ENDING JULY 31, 2005.

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

23 MR. SAUNDERS: 3-B, PETITIONS FOR
24 PERMIT PARKING IN THE 1000 BLOCK OF VINE STREET BETWEEN
25 QUINCY AND CLAY AVENUE.

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01 MR. DIBILEO: Are there any
02 comments on 3-B? If not, received and filed.

03 MR. SAUNDERS: Clerk's notes.

04 MR. DIBILEO: Mr. Saunders, let me
05 before you read clerk's notes, just make a quick
06 notation that City Council held an executive session
07 this evening prior to tonight's meeting with a member
08 of the administration regarding the foreclosure of the
09 Hilton Hotel and Conference Center.

10 As I've said before, this is the
11 main reason for Council meeting during August, and we
12 are trying to help the city save \$6 million, and
13 considering this hotel is such a big part of Scranton's
14 downtown, we have to do everything we can to try to
15 save that money. Go right ahead, Mr. Saunders.

16 MR. SAUNDERS: Mr. President, I
17 have three things to discuss tonight, they're all on
18 the same topic.

19 It's petitions. For anybody that
20 doesn't know, our office gives out a petition for
21 permit parking or a number of other things, but we
22 receive the petitions back and we accept them, City
23 Council accepts them.

24 We do not go out and check the
25 problems, but we send them out to the proper department
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01 and they go out and check these problems, and I'm going
02 to go over and tell you three of them that we recently
03 just went over and we have the results back from a
04 petition that we received from the 800 block of
05 Linden Street, specifically 300 and 302 Madison Avenue?
06 There was a permit parking issue up there, looking for
07 permit parking.

08 Corporal Bachman from the Scranton
09 Police went out and reviewed that. He denied that due
10 to the fact there's parking meters up there.

11 Also we had a request and a
12 concern of tractor-trailers traveling on New York
13 Street to Jefferson Avenue, and it's blocking
14 Dix Court.

15 Corporal Bachman once again went

16 out there and he sent me a letter saying he's been out
17 there several times, did not see any of the situation,
18 so he's denying the no truck traffic on that street.
19 The last one I have is a reversal
20 of what we normally have asking for permit parking.
21 They're asking for the removal of permit parking on the
22 1700 and 1800 blocks of Olive Street.

23 Corporal Bachman went out and
24 looked at that situation. There was five households
25 that only signed on the 1700 block, and on the 1800
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01 block only one person signed the petition, so due to
02 the fact that the majority of the people living on that
03 block were not petitioning for the removal of permit
04 parking, he denied that also and the permit parking
05 will stay on the 1700 and 1800 block of Olive Street.
06 That's all I have, Mr. President.

07 MR. DIBILEO: Thank you very much,
08 Mr. Saunders.

09 MR. SAUNDERS: Fourth order,
10 citizens participation.

11 MR. DIBILEO: We have a sign-in
12 sheet, and before I call up the first speaker, I'd like
13 to remind speakers to please refrain from comments of a
14 personal nature and to please try to contain your
15 comments to five minutes.

16 Mr. Walsh is not here, our
17 solicitor, and when he comes back, I'd like to ask him
18 to aid me in trying to determine when that fine line
19 between Freedom of Speech and comments of a personal
20 nature is crossed.

21 And with that said, the first
22 speaker is Bill Gallagher.

23 MR. GALLAGHER: Good evening.
24 William Gallagher, taxpayer, homeowner and resident in
25 the City of Scranton.
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01 Council members, I appeared before
02 you on the 23rd of June of this year seeking help
03 regarding a dangerous situation outside of my home on
04 Brook Street on East Mountain.

05 I told you my problems with the
06 DPW and the mayor's office and their lack of concern
07 for my situation and their unwillingness to do anything
08 to rectify it.

09 You assured me that you would look
10 into it. In all fairness to you, Mr. DiBileo came up
11 to my home and looked into the situation firsthand. He

12 personally called Mr. George Parker and tried to help
13 him. He left a message with him explaining to him the
14 situation and see if he could do anything.
15 I've contacted Jay Saunders
16 numerous times about the situation, he contacted DPW a
17 lot, and to the best of my knowledge, neither one of
18 you have had any luck getting anything done or even an
19 answer out of the parties down there.
20 The fact that I'm here is because
21 the last time I was here was the only time I got any
22 action out of the DPW. By appearing here, about ten
23 days later, a DPW crew headed by Mr. Mike Luciani
24 showed up at my house at about 6 p.m. in the evening.
25 Mr. Luciani knocked on the door and said that they were
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01 here to work on the ditch, and then he left five
02 minutes later leaving the remaining workers outside.
03 They spent about 45 minutes
04 digging the ditch with a backhoe. I talked to them and
05 thanked them for their help in reinforcing the erosion
06 under my sidewalks caused by the clogged ditch. They
07 assured me that they would return tomorrow to finish
08 the job with the decaying walkway leading from the
09 street to my home.
10 No one has ever returned and the
11 situation has only gotten worse. I called Mr. Saunders
12 at the Council and he told me that Mr. Luciani had
13 assured him that they were not done outside my home,
14 that something had come up and that they would be back
15 next week to finish the job. No one has returned.
16 Finally after another Email and a
17 call to the DPW, Mr. Luciani called me to change his
18 tune, saying after consulting his boss, it was decided
19 that it was the property owner's responsibility to fix
20 the problem.
21 I said that the problem was not on
22 my property, but on the city's property, and that if it
23 was my responsibility in the first place, why did you
24 start the job?
25 He then offered to give me a
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01 replacement pipe for underneath the ditch if I took
02 care of it myself. I informed him that I was not a DPW
03 employee and that it was as a matter of principle I
04 refused to do the city's work for them. I pay enough
05 in taxes and I won't pay any more than my fair share.
06 I just yesterday Emailed
07 Mayor Doherty's office and asked for assistance, but it

08 appears to have fallen on deaf ears, as I've tried this
09 route before Emailing and calling his office.
10 If there was anyone in city
11 government willing and able to do the right thing to
12 prepare the hazard outside my home, please do. I am a
13 lifelong resident in the city, I pay my taxes, I served
14 honorably in the United States Marine Corps., I work in
15 law enforcement with the Department of Corrections at
16 SCI Waymart.
17 I now regret not listening to my
18 friends years back when they told me, Don't buy a home
19 in the City of Scranton. But this is where I'm from,
20 and this is where I wanted to stay.
21 Please prove me wrong and restore
22 my faith in city government by doing something.
23 MR. DIBILEO: Mr. Gallagher --
24 MR. GALLAGHER: I brought some
25 photos with me, as well, of the situation, as I did
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01 last time.
02 MR. DIBILEO: First, thank you for
03 serving your country in the Marine Corps. Also, since
04 we talked last, I left a message for Mr. Parker and
05 asked him if he could contact you or go up there and go
06 up there and take a look, so you haven't heard back
07 from him?
08 MR. GALLAGHER: I have not.
09 MR. DIBILEO: Okay. What I'll do
10 is request that again, because I'm not in a position to
11 tell them to fix it, I can only ask them to consider
12 fixing it, and I'll do that tomorrow first thing.
13 And I know Jay has tried, also,
14 but no use both of us trying to make that request.
15 I'll do it first thing tomorrow morning, Mr. Gallagher.
16 MR. GALLAGHER: As I said, I
17 brought photos of the situation, and I would like to
18 present it to Council.
19 MR. DIBILEO: Yes, please.
20 MR. DIBILEO: Thank you,
21 Mr. Gallagher. Andy Sbaraglia.
22 (WHEREUPON, Solicitor Walsh entered the meeting.)
23 MR. SBARAGLIA: Andy Sbaraglia,
24 citizen of Scranton, fellow Scrantonian, Main Avenue in
25 the city.
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01 I want to correct a little
02 statement I made last week. I came originally, the
03 people from the Hilton, I know you can't answer, I

04 won't expect any answer from you people, I went back
05 over it, it was -- actually they were planning to
06 borrow \$27 million instead of the 21 I've stated, but
07 the funny thing is, they didn't go through with it.
08 The second part of that agreement
09 was for us to take our \$3 million that we had in
10 collateral and change it into the beds, fixtures and so
11 forth in the Hilton.

12 Well, they never went through with
13 the first part, and we're stuck with the second part,
14 which we went under false pretense.
15 The whole idea of that deal was
16 that we and these people were going to borrow money
17 from the county, I don't know if it would have been at
18 a lower interest rate, because like I said before, they
19 backed out of it when you people paid the Hilton deal
20 for the beds and so forth.

21 So, they actually went in with bad
22 faith with us. If they were really, really concerned,
23 they should have told you that you don't have to go
24 through your part of the agreement either, because
25 we're not going through with our part of it.

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01 I contacted the county, because
02 like I said before, I couldn't understand how they can
03 go through -- I stated \$21 million, but it was actually
04 \$27 million in two years. It was, you know, it's an
05 astronomical amount of money to be fiddled away in two
06 years with nobody getting paid.

07 So, anyway, we are, I guess, stuck
08 for the beds and so forth and so on because we can't
09 get out of our deal, even though they never went
10 through with theirs. Well, that's one aspect.

11 The other aspects of all these
12 things is, like I said, Jay told me that the letter of
13 credit that you people voted for for the Scranton --
14 the SRA, the Scranton Redevelopment Authority, the
15 \$12 million letter of credit is no longer under the
16 Scranton Redevelopment Authority, it has been
17 transferred to the Scranton Parking Authority, and
18 that's why they don't come up in their financial
19 statements.

20 Well, gentlemen, there's a lot of
21 money being transferred all around and about with
22 nobody else knowing it but the inner departments or
23 these deals worked out.

24 As you know, the Scranton
25 Redevelopment Authority owns the land where the garage

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01 is being built. The Scranton Parking Authority is
02 going to be what they call a turnkey operation; in
03 other words, when it's built, they'll get control of
04 the building.

05 But I'm under the impression that
06 it should belong under the Scranton Redevelopment
07 Authority until the building is completed, and then it
08 can be transferred over to the Scranton Parking
09 Authority.

10 How they did it, I don't know.

11 That's normally how they do a turnkey. You don't do
12 things like they've been doing.

13 Now, I could actually find out how
14 much money is being drawn out by going to
15 Roseann Novembrino and ask her how much money is being
16 transferred out of this letter of credit. So, that's
17 the only thing I'm interested in, how much money is
18 being dwindled away from this letter of credit,
19 because this letter of credit basically stated that
20 they would pay for five years for mainly to make up for
21 the shortfall until this garage is built, it's rented
22 out and so forth and so on, and then the letter of
23 credit would be discontinued, even though there is a
24 clause in it saying it can't be extended.

25 But the main thing is we have to

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01 look. Now, why was it transferred? This Scranton
02 Parking Authority is building a heck of a lot of
03 garages, and I don't know how actually fiscal
04 responsible they are.

05 They have never come before you
06 and explained to you how they plan to recoop their
07 money from this garage.

08 When the original legislation said
09 these garages will not pay themselves, that's what it
10 was, that's why I was against them. I don't believe
11 that the taxpayers should have to pay for garages that
12 don't pay for themselves.

13 If somebody wanted to get into a
14 deal like that, you should have tried to rope in a
15 private developer instead of always roping in the poor
16 taxpayer, because we have no choice.

17 You six people, the mayor and
18 Council, could place us in a position beyond reproach.
19 We will never get out of the hole, and we're into a lot
20 of it, and it goes and it goes and it goes.

21 Now, I'll look at the original

22 legislation to see. I know it's a turnkey. I have --
23 thank God I have that. I have all the, because I got
24 it from the Scranton Parking Authority, I got the copy
25 of the note and so forth and so on so I can actually
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01 re-look into it.

02 I would have known before, but Jay
03 told me that it was, you know, he just told me tonight
04 that it was done, so I'll look into it and see how it
05 was transferred.

06 And the main thing, how it affects
07 us. Everything that they do affects the taxpayers, and
08 no one in the administration is ever responsible for
09 what they do.

10 For some reason the state in their
11 goodness says, No matter what you do, it's okay, we
12 can't go back after you, unless it's malfeasance. In
13 other words, you can make all the errors you want and
14 we're stuck with them. I thank you.

15 MR. DIBILEO: Thank you,

16 Mr. Sbaraglia. Regina Yetkowskas.

17 MS. YETKOWSKAS: Regina

18 Yetkowskas, Scranton resident and taxpayer. My
19 presentation this evening will continue with previous
20 information given to Council on an answer to
21 Ms. Kern's letters of June 30.

22 No. 6, Will Ms. Kern please
23 inform city police officers and firemen if it is
24 legitimate for them to criticize and possibly even hate
25 Mr. Doherty and City Council meetings, when in the
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01 performance of his job, Doherty has denied them any
02 increase in wages for three years, and on top of it
03 all, he won't even engage in collective bargaining
04 negotiations with them.

05 Maybe Ms. Kern could inform the
06 police officers and firemen where else they may go,
07 other than to City Council meetings to be heard on the
08 Doherty administration's refusal to deal with them or
09 try to give them some small wage relief on account for
10 the past three years plus.

11 Even though I just painted a short
12 sad picture for the city unions, it is worse for all
13 the people who pay the bills the politicians incur.
14 The reason is simple, because over Mr. Doherty's four
15 years, he spent unnecessary millions of dollars to pay
16 police and firemen wages for which they did not work
17 pursuant to the arbitration awards.

18 The millions of dollars also
19 required Mr. Doherty to pay the employees' fringe
20 benefits, legal fees for union lawyers and fees for
21 city employers.
22 Mr. Doherty's waste of millions
23 occurred because he lost a number of labor
24 arbitrations. I am only one citizen, but I would
25 appreciate if Mr. Doherty would let me know of one
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01 arbitration the city won which saved the city money.
02 Mr. Doherty never kept the people
03 informed on the status of all arbitrations and the
04 money lost. Because of all this, does Ms. Kearn
05 believe severe criticism is proper? If she does not
06 agree, what would she have done when saddled with the
07 arbitration bills.
08 No. 7, over the past few months a
09 number of Scrantonians attended meetings of municipal
10 authorities to obtain information on their finances; in
11 other words, where do the authorities obtain their
12 money for operations, how much money do the authorities
13 owe, what assets do they have; in other words, basic
14 information.
15 If Ms. Kearn heard the horror
16 stories of how members of the municipal authorities
17 refused to answer relevant questions and demeaned the
18 citizens who pay the bills, she may consider it
19 legitimate for the citizens to criticize Mr. Doherty
20 and the authority members on their conduct, because the
21 members of the municipal authorities are all Doherty
22 appointees, and he controls them.
23 No. 8, for a number of years
24 persons appeared before City Council and said they
25 asked members of the Doherty administration for an
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01 accurate statement of how much money the city owes,
02 what is the collateral for the money owed, what is the
03 rate of interest on the city debt, and how much must be
04 paid each year to service the debt.
05 For the same amount of time,
06 neither Mr. Doherty nor members of his administration
07 ever made the information public, nor did they even
08 tell the citizens where the accurate information can be
09 obtained. Again, the same wall of silence surrounding
10 City Hall.
11 Could Ms. Kearn please inform the
12 people who sought this information if it is proper for
13 them to criticize Mr. Doherty for his refusal to

14 provide the information?

15 No. 9, Is it proper for members of
16 the various neighborhood associations to criticize or
17 even despise Mr. Doherty, because for almost four
18 years, he never spoke with them or attending their
19 meetings to learn of their concerns, like the increase
20 of crime in their neighborhoods and constant flooding
21 in neighborhoods.

22 No. 10, a number of weeks ago I
23 discussed Mr. Doherty's 2005 operating budget. I
24 criticized the budget to show its falsity, how it was
25 constructed with smoke and mirrors, because it falsely
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01 inflated the city's revenue to provide an opportunity
02 for him to spend more than the city received.

03 If I was incorrect in my criticism
04 of the budget revenues, I am sure Mr. Doherty would
05 have had a quick and incisive reply to show me to be
06 wrong, but thus far he has said nothing.

07 Mr. Doherty's silence does not
08 mean guilt or otherwise, but I believe as an elected
09 public official he has a duty to reply to my criticisms
10 on the 2005 operating budget. May I finish,
11 Mr. DiBileo?

12 MR. DIBILEO: Do you just have a
13 little built left there, Regina?

14 MS. YETKOWSKAS: All right. Okay.
15 I'll cut it.

16 MR. DIBILEO: Okay.

17 MS. YETKOWSKAS: One more
18 statement. His failure or refusal to fulfill his
19 duties implies a finding that my criticisms are
20 accurate.

21 Would Ms. Kearn claim I was wrong
22 and improper to criticize Mr. Doherty on this subject?

23 Thank you.

24 MR. McTIERNAN: Ms. Yetkowskas,
25 could I ask you a question?

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01 MS. YETKOWSKAS: I have to sit
02 down. I have a bad back.

03 MR. McTIERNAN: Oh, okay. I
04 sympathize. I'm sorry. I sympathize with you on the
05 back issue. Could you refresh my memory on the
06 inflated dollar figures for the budget?

07 MS. YETKOWSKAS: I'll do the
08 research and get back to you within a day.

09 MR. McTIERNAN: Okay. Thank you.

10 I'm just trying -- I know that there was one of the
11 issues in the budget where there was a disagreement
12 regarding whether actual figures were used, and that
13 was one of the areas in the budget where the mayor used
14 actual projections, accurate figures based on projected
15 costs, rather than inflated costs on health care, for
16 example, but thank you. Thank you.

17 MS. YETKOWSKAS: Would you write
18 the questions down and I'll pick them up before I
19 leave? I'll have the answer for you tomorrow.

20 MR. McTIERNAN: Thank you.

21 MS. YETKOWSKAS: You're welcome.

22 MR. DIBILEO: Thank you.

23 Bob Bolus.

24 MR. BOLUS: Good evening, Council.

25 Bob Bolus, Scranton.

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01 MR. DIBILEO: Good evening.

02 MR. BOLUS: Well, it starts again,

03 Mayor Leap Year Doherty has started running commercials
04 which he claims he is a leader, and working people for
05 Doherty can believe him.

06 I couldn't disagree more. Several
07 weeks ago the mayor proposed legislation whereby the
08 city would sell \$5.2 million of its best performing
09 loans and allegedly use the proceeds to make loans to
10 other businesses.

11 When the Council majority asked
12 who these businesses were, the mayor's minions admitted
13 that there were no applications currently pending or
14 approved.

15 Then the Mayor himself in an
16 attempt to coax this Council in the voting for the
17 legislation stated that, and this was printed in the
18 Times, so it must be true, any federal money that is
19 spent must first be approved by the Council.

20 Isn't that something? To spend
21 the federal money in OECD, the Mayor must first get
22 Council's approval.

23 Well, then it's what's happened
24 next that makes this very interesting; namely, the
25 Hilton defaults on its \$3 million plus federal loan.

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01 Not only did the mayor know about this since December,
02 but he hid it from the taxpayers until after the May
03 primary election, and then made the first \$241,000
04 payment from federal funds without getting Council's
05 approval.

06 Concealing information, followed
07 by a payment made with federal funds, which just the
08 week before he said he could or would not do.
09 This is not a Mayor we can believe
10 in. What we, the taxpayers, must know is what do you,
11 the Council members, think about the Mayor going back
12 on his word and spending a quarter of a million dollars
13 without notifying Council.
14 And I would ask Mr. Pocius and
15 Mr. McTiernan, do you have any comments on the
16 Mayor's actions where he concealed the \$3 million plus
17 loss and then failed to keep his word to Council? You
18 can answer that when I'm done speaking, please.
19 This Council as a whole should
20 feel pretty good about itself, because it refused to
21 give this mayor a blank check book, and when it learned
22 the truth, they got the information out to the
23 taxpayers.
24 Now, I ask that you go one step
25 further, find out who knew, what they knew and when
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01 they learned about this payment. Get this from the
02 administration, all paperwork, vouchers, wire
03 transferred documents, checks or any documentation
04 which will show us, the taxpayers, who requested,
05 approved and actually made the payment from these
06 federal funds.
07 Did Roseann Novembrino authorize
08 it, or as I suspect, was it only Sara Hailstone and
09 Carl Greco?
10 Please get these documents, even
11 if you have to subpoena them, because you just can't
12 believe anything this Mayor or members of his
13 administration or his appointed authority members say.
14 And I'd like people to understand
15 one thing, I was born a Scrantonian, but I'm a resident
16 and a Republican by choice.
17 Mr. Pocius and Mr. McTiernan, you
18 couldn't show up at some meetings, but we can. And
19 that's fine, I have a business, but I made my time
20 available to be here at noon.
21 In the past Pocius was a
22 president, he held meetings here at noon and it was
23 okay, but he can't show.
24 But, you know, I find it funny,
25 Mr. Pocius can't show, and incidentally, I haven't seen
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01 Mr. Hazzouri, who wants to represent us, even come as a

02 private citizen and come and give us his input on how
03 we should run the city.
04 He tried to do it here and he
05 couldn't do it, and now he wants to get elected and
06 these two guys want to come around and collect a
07 pension in violation of the Home Rule Charter. I mean,
08 it's unrepresentation, to say the least.
09 And then there's an individual who
10 wrote a letter here on free political time on
11 Channel 61. Well, he seems to be upset because we come
12 here and speak. His name is Dominick Forino.
13 He complains about us coming here
14 and speaking and Channel 61 and we criticize the
15 mayor. Well, his letter to the Scranton Times was
16 free. Letter To The Editor, didn't cost him a dime.
17 I've had letters printed there
18 challenging the Republican party asking Republicans to
19 chose what we should believe to be there, not who three
20 members, Catalano, Marinucci or Williams decide should
21 be here and running our city. They don't speak for me,
22 and I'm a Republican. So, I don't know who they're
23 representing.
24 But he complains driving down
25 through the city you see KOZ or all the cranes and
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01 things up. But I want him to remember something,
02 they're free. They're KOZs, they're non-profits going
03 up. They're not paying us a dime, and he's complains
04 about it.
05 But I have a suggestion, he
06 complains about us coming here on 61, I think the
07 beauty part would be, come here. It's free. Speak
08 your peace, tell us how to run this city. Don't
09 criticize us, and I take it personally, and he could
10 come here anytime and challenge me, that you criticize
11 us that come here and support this Council and this
12 city and the people who come here and take their time.
13 And don't hide behind a pen and pencil, but come on out
14 here. It's fun.
15 I mean, we have Doherty critics
16 here. You know, we're not Doherty critics. We're here
17 just as people who are disappointed in the way the
18 administration has done its job.
19 But I'll tell you one thing, and
20 I've seen people here, but I can definitely guarantee
21 tonight Joanne Williams will come and tell you how bad
22 we are and how good the Mayor is. Let the people
23 decide how that works. Thank you very much.

24 MR. DIBILEO: Thank you.

25 John Brzycki.

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01 MR. BRZYCKI: John Francis

02 Brzycki, Jr. I'm here to fight for truth, justice and

03 the American way. I have a few issues concerning this

04 administration.

05 The property values in our

06 neighborhood is dropping, thanks to the deplorable

07 conditions in my neighborhood.

08 South Side has been neglected for

09 such a long time by this Mayor. Big trucks keep coming

10 down our street and we can't even open our windows to

11 wash them anymore.

12 Our road has not been paved in

13 50 years since I was born here. The family garment

14 dress factory is falling apart and is a safety hazard

15 to our neighborhood.

16 I told Mr. DiBileo,

17 Mr. Courtright, and I also asked Janet Evans in a few

18 Emails about the situation, and they are looking into

19 it. Thank you.

20 Also this place has been neglected

21 for such a long time, that there's even rats infested

22 in the buildings. And also the kids are also in one of

23 these areas by Joe Scott's, it's a big warehouse, and

24 it used to have, like, back in the '50s, he wanted to

25 have, like, a recreation there for the kids, and

0027

01 there's a lot of senior citizens there and they said,

02 You can't have that because it's two o'clock in the

03 morning and we don't want no dancing and music because

04 we want to sleep and go to church in the morning on

05 Sunday, so they blocked it.

06 So, he's been neglecting that

07 property for such a long time, and it has been so

08 deplorable. I mean, the women on our block, they work

09 second shift, and they come home and they're so scared

10 when they park across the street because they're afraid

11 somebody might jump out and rape them, because there's

12 so much vegetation there. It's deplorable and it's

13 bringing down our property values.

14 Also one more thing,

15 Mayor Chris Doherty wants to reassess the homes and

16 raise my property taxes, let him come down to

17 South Side across the Lackawanna River, look how

18 rundown this block is.

19 I'm paying a lot of insurance

20 because our house is worth a lot of money, and I will
21 be able to get, whenever my mom would depart, and my
22 would take her, but he would wait for her, and thank
23 God he would.
24 Now, don't you think anybody would
25 buy my property when this mayor gets off his pedestal
0028
01 and comes down to see what a mess South Scranton really
02 is and the fact that I am a concerned taxpayer for the
03 last 50 years. I'm 52-years-old, and I'm telling you,
04 I'm very disgusted.
05 And also, I have another issue
06 with the Scranton Sewer Authority, my mom and I live in
07 a house, and the house we live on is at 333 Sulker
08 Street, and we have two apartments there, one
09 downstairs and one upstairs, we always had tenants when
10 my father was living.
11 When my father died about eleven
12 years ago, we stopped having tenants because they were
13 ruining our property. So, what I did was I looked at
14 the Sewer Authority bill for the past couple of years,
15 and we were paying \$43.68 for sewer, and our water bill
16 is only \$29.33.
17 And I go down to the Pro Fitness
18 Center and take my showers. My mother is 90 pounds.
19 She takes a bath maybe twice a week. So, our water
20 bills are very low, and yet still our sewer bill is
21 very high.
22 And I went to talk to a lot of
23 people in the South Side area, and they have \$50 water
24 bills, but they're paying \$175 for sewer, and I think
25 that's ridiculous. Something has got to be done about
0029
01 this. I think this city needs an enema. Thank you.
02 MR. DIBILEO: Thank you,
03 Mr. Brzycki. Warren Norton.
04 MR. NORTON: Good evening. My
05 name is Warren Norton, I'm a homeowner and taxpayer
06 here in the city. I was born and bred in Scranton and
07 left the city in 1962, upon graduation of high school,
08 so I've been away for almost 40 years, moved back a few
09 years ago, except for parental visits, and I would like
10 to first thank you for affording me the opportunity to
11 speak, but I wanted to comment on something that I had
12 noticed within the city contrasting when I left to
13 having moved back.
14 Certainly when I was here before
15 back in the '50s and the '60s, I remember the

16 Scranton Plan and the problems that occurred there, and
17 basically the city was sort of hopeless, people were
18 defeated before they even began.

19 Now upon moving back, I see new
20 jobs, I see new construction downtown, there are
21 additional recreational opportunities, there's theater
22 back in the city, but most important, the thing I've
23 noticed in moving back is among the residents there
24 seems to be a new spirit in the city.

25 As I mentioned, prior to my
0030

01 leaving and coming back to visit my parents, people
02 were defeated. It was sort of a, We can't do it,
03 whatever it is.

04 And there is -- there does seem to
05 be a renewed sense of hope within the city. So, just
06 as a personal observation from a returning resident,
07 I'd like to thank the administration for having made
08 this major change that I see in my city, and I'd like
09 to congratulate you all for helping in this renewal.

10 Thank you.

11 MR. DIBILEO: Thank you,

12 Mr. Norton. Erik Johnson.

13 MR. JOHNSON: Good evening,

14 City Council, Lisa, and staff.

15 MR. DIBILEO: Good evening.

16 MR. JOHNSON: Erik Johnson,

17 taxpayer of Scranton. I have here an independent view
18 of a Scranton matter to occur in November. It's from
19 the Republican Party of the Sweedish American Caucus of
20 Clearfield Center in McKeon Counties from the Internet,
21 which I enjoyed the Sweedish Assumption Festival at
22 Mt. Jude, PA.

23 The question, In a primary
24 election when one party fails to field candidates
25 through the petition process, can members of the party
0031

01 write in the names of people they chose, regardless of
02 party? And if one of those so written in gets more
03 votes than the other, even though they are the same
04 party, but not the party of the voter, are not those
05 votes valid?

06 Answer, this is from the
07 Pennsylvania Department of State in charge of election.
08 In a primary a person may write in whoever they chose,
09 regardless of party.

10 The votes are certainly valid,

11 but the tricky part lies in having them certified in

12 order to appear on the ballot in November.
13 In order for a write-in candidate
14 to be certified, the total number of write-in votes
15 cast for said candidate must be equal to the number of
16 signatures required for him to appear on the ballot in
17 a primary.
18 So, if 100 signatures are required
19 for him to appear on the ballot, but he failed to
20 collect that many, a write-in campaign can be mounted,
21 but at least 100 people must vote for him.
22 Republicans can feel safe voting
23 for Gary DiBileo, as the Democrats can feel safe voting
24 for Chris Doherty. Gary, as I said before, you owe
25 your allegiance to the Republican rank and file voters.
0032

01 As if it were not for the
02 Republican write-in voters, you would not have this
03 second chance by a decision of Republican and Democrat
04 voters in the general election in November.
05 Thank God America uses the more
06 than one party system, which in this case is one
07 democrat nominee and the other is a Republican nominee.
08 Nearly two years after Congress
09 extended two years of federal death benefits to the
10 police and firefighters who have fatal heart attacks or
11 strokes during the emergency calls, no money has been
12 awarded to dozens of families who would be eligible for
13 one time payment of more than \$275,000 each.
14 Since 1976, the Hometown Heros
15 Program has provided payments to survivors of more than
16 4,500 federal, state and local police officers and
17 firemen would have been killed in the line of duty.
18 The program started with
19 50,000 payments in the line of duty in 1976 for
20 officers and firemen, only if they were killed in the
21 line of duty.
22 In fact, more firefighters die of
23 heart attacks on the job than injury. Back here in
24 Harrisburg on January 2005, this year 100 Pennsylvania
25 law makers signed into legislation requiring
0033

01 Pennsylvania State to enact the cost of life insurance
02 for active duty National Guard soldiers and airmen, but
03 the proposal was quickly and quietly shoved aside,
04 while other states went ahead to enact their proposals
05 for their military personnel.
06 While this unpatriotic act by the
07 Pennsylvania lawmakers at the very same session, they

08 have the audacity to vote themselves pay raises of
09 16 percent to 34 percent with no debate or scrutiny in
10 the middle of the night, which our soldiers are being
11 killed by suicide car bombers in Iraq, which the
12 lawmakers claim they do not have enough money for the
13 Pennsylvania military servicemen and women, which would
14 be about \$1 million a year.

15 Well, get this, their pay raises
16 will cost the taxpayers at least several million
17 dollars more than the \$1 million that would be for the
18 Pennsylvania military personnel. Thank you very much
19 for letting me speak.

20 MR. DIBILEO: Thank you,
21 Mr. Johnson. Jim Stucker.

22 MR. STUCKER: How are you doing,
23 all of you?

24 MS. EVANS: Hello.

25 MR. DIBILEO: Good, Jim. How are
0034

01 you?

02 MR. STUCKER: Good. There's still
03 a lot of people complaining about garbage and stuff, a
04 lot of people are complaining about it, and I'm one of
05 them, too.

06 They do pick our garbage up. The
07 city guy is -- he's from the city down where they have
08 the garbage trucks. The guy stopped the other day and
09 he's complaining about our garbage not being picked up.

10 Our day is on Wednesdays, they
11 should know that. A lot of people is complaining about
12 it. This guy is -- this guy comes in from the city
13 yard, comes in and he asks me, What day is our garbage
14 on? On Wednesdays. And they don't even pick up --
15 only on Wednesdays, they don't pick up Mondays or
16 Tuesdays, only on Wednesday, is our regular day.

17 A lot of garbage guys won't pick
18 up a lot of stuff, like ceiling blocks and stuff like
19 that, they won't pick up.

20 Now, the kids are throwing nails
21 in alley, and everybody told them about it and they
22 still do it. One of our guys ran over a nail and
23 flattened their tire.

24 MR. DIBILEO: Nails in the alley,
25 Jim?

0035

01 MR. STUCKER: Yeah, the alley I
02 live in. One of our guys drove through the other day
03 and he had a nail in his tire. The kids, there's a

04 bunch of kids --
05 MR. DIBILEO: Jay, can you pass
06 that on?
07 MR. SAUNDERS: Sure.
08 MR. DIBILEO: All right, Jim.
09 Thanks for --
10 MR. STUCKER: And right up the
11 street from me on Moosic Street, there's a house name
12 Culken, Culken house, we just had a guy two months ago
13 or a month ago got killed in there, in Culken house.
14 The guy stole his money on him, about a week ago, two
15 weeks ago.
16 See, there's a lot of stabbings
17 over there where I live. I want to find another place.
18 Maybe one of you can help me out, look for a three-room
19 apartment for me, something cheap, you know.
20 MR. DIBILEO: Okay.
21 MR. STUCKER: Maybe Jay can find
22 something cheap, you know.
23 MR. DIBILEO: He does a lot of
24 stuff, Jim. I tell you, he might be able to do that,
25 too.
0036
01 MR. STUCKER: Yeah.
02 MR. DIBILEO: All right. We'll try
03 to help you out, Jimmy.
04 MR. STUCKER: What about those
05 lines for us on Moosic Street? We're complaining about
06 it, nothing yet.
07 MR. STUCKER: Jim, we sent the
08 letters out the first time you said it. I think it
09 takes a little time for them to get around to that.
10 I'll keep on them, though.
11 MR. STUCKER: All right. Okay.
12 MR. DIBILEO: Thanks a lot, Jimmy.
13 Appreciate it.
14 MR. STUCKER: DiBileo, what about
15 the -- I heard a lot of people told me, one of your
16 friends, I don't know who she was, she says she knows
17 you, told me to bring it up to you.
18 MR. DIBILEO: I'll talk to you
19 after the meeting on that, Jim.
20 MR. STUCKER: All right.
21 MR. DIBILEO: Okay. Thank you.
22 Joanne Williams.
23 MS. WILLIAMS: Good evening,
24 Council. Joanne Williams, homeowner and taxpayer.
25 Tonight, again I ask you, Mr. DiBileo, to schedule

0037

01 another vote on selling the city's 14 business loans to
02 the Community Reinvestment Fund for \$5.2 million.
03 The sale of these loans would
04 benefit all Scranton taxpayers by injecting money into
05 the local economy. This money would bring our city
06 more than \$325 million into the economic development,
07 as well as many new jobs for the local workforce.
08 The development projects also
09 would allow the city to collect additional revenue from
10 permit fees. They would also contribute to raising
11 real estate values.
12 And also, I think you're saying no
13 to jobs, no to jobs to electricians, to plumbers, to
14 construction workers. The list can go on.
15 Mr. DiBileo, there are a lot of
16 unions in the area, not just police and firemen who
17 depend on work.
18 Mr. DiBileo, last week I watched
19 you as you challenged a college student to produce
20 figures backing up the 3,000-plus new jobs that
21 Mayor Doherty has created during his first time term.
22 As Council president, isn't it
23 kind of embarrassing that you had to ask the young man
24 to bring you these numbers? You should know them
25 yourself.

0038

01 I did some research using the
02 Scranton Chamber of Commerce, the Office of Economic
03 Community and Development, the Times Tribune archives.
04 Shouldn't you as an elected
05 official be able to take some time and do your own
06 research? For example -- I'll wait until you're
07 finished, Mrs. Evans.
08 MR. DIBILEO: No, go right ahead.
09 MS. WILLIAMS: For example, in a
10 few minutes I was able to find that eight new
11 restaurants alone, Agilo's, the Trolley,
12 Williams at the Ritz, The Brixx, Northern Light, About
13 Thyme, Center Street Coffee and Bennigan's has brought
14 in 135 new jobs.
15 I also find it ironic,
16 Mr. DiBileo, that as I list all these new businesses
17 that are creating new jobs, I remember that you voted
18 against the National Development Council's contract
19 which funded several of them.
20 As I've said it before, it is
21 unbelievable to me that you are so against economic

22 development and progress in Scranton.
23 I'm outraged and I'm concerned
24 when you're shooting down issues that are supported by
25 Mayor Doherty and that you're not working to saving the
0039
01 city taxpayer money.
02 Now, I also want to clear up an
03 incorrect statement that was made last week at the
04 Council meeting regarding the cutting of 29 Scranton
05 police officers during the Doherty administration.
06 I have looked into this matter,
07 and I have learned that once again the statement was
08 false. Twenty-nine police officers were hired during
09 the Connors administration as part of a Federal Cops
10 Program under President Clinton.
11 The federal government provided
12 funding to pay the salaries of these 29 officers.
13 President Bush didn't renew the Cops Program and,
14 therefore, cities and towns across the country,
15 including our Scranton, lost federal funding for these
16 police officers; however, not one, and I'll say again,
17 not one, because I did the research, of the 29 police
18 officers was laid off by Mayor Doherty.
19 Despite the federal funding being
20 cut off by President Bush, each and every one of the
21 cops stayed on the police force. Mayor Doherty filled
22 other vacancies in the police department with
23 29 officers who were hired under the federal program.
24 Mr. DiBileo, you should be aware
25 of this and you should not allow speakers to come here
0040
01 week after week claiming that Mayor Doherty has laid
02 off Scranton police officers. It's just not true.
03 In fact, Mayor Doherty's
04 administration actually has more officers in the police
05 department than the 140 required under the police
06 union's collective bargaining agreement.
07 Mayor Doherty has publicly stated
08 many times that he has no intentions of cutting the
09 Scranton police force, and he has kept his promise.
10 Thank you.
11 MR. DIBILEO: Thank you,
12 Mrs. Williams. Just to comment, if I can real briefly,
13 I didn't challenge anyone last week, I simply asked a
14 question, and I did do a little research this week,
15 because I realize that one way we would see an increase
16 in jobs is through the Occupational Privilege Tax.
17 That you might know as the \$10 non-resident fee per

18 year to work in the city, and the \$15 per year fee that
19 city residents pay to work in the city.

20 Between 2003 and 2004, the

21 Occupational Privilege Tax revenue decreased by
22 \$27,000. Now, I know that that includes both residents
23 and non-residents, so it's not going to be exact, but
24 if you take that \$10 and \$15 tax and meet in the
25 middle, \$12.50, and you divide that \$27,000 by \$1250,
0041

01 that would equate to 2,100 less jobs people working in
02 the city, basically working in the city.

03 Now, there may be an increase in

04 3,000 jobs, but if there is, that means 5,000 people
05 are not working. It's a decrease of 2,000.

06 MS. WILLIAMS: And can you name
07 those?

08 MR. DIBILEO: I'm giving you the

09 facts. I'm giving you the facts on the occupational
10 all privilege tax. So, that's simply all I wanted to
11 pass along. And the third thing is, I never said that
12 police were laid off, I simply have stated, and I'll
13 state it again, that between four years ago and now,
14 there are more than 25 less police officers in the
15 city.

16 And Mr. Doherty's in charge, we

17 have less police officers now than we did when Mr.
18 Doherty took office. I don't care how it happened, but
19 the fact is it's happening. And thank you very much,
20 Mrs. Williams. Excuse me, Mrs. Williams. Thank you,
21 Mrs. Williams. Thank you, Mrs. Williams.

22 MS. EVANS: If I might add, and,

23 please, I would ask that everyone remain quiet as
24 everyone speaks and have respect for one another.

25 What Mr. DiBileo cited comes to
0042

01 Council by means of Rossi & Associates. They conduct
02 the independent audit annually of the City of Scranton.

03 He is quoting figures provided by that firm, and in
04 addition to that, if we also take a look at the wage
05 tax, the difference between 2003 and 2004, is again a
06 negative.

07 Now, granted the wage tax, if

08 we're to see an increase in that, that would be due to
09 inflation, but as Mr. DiBileo stated, we're looking at
10 an approximate 8 percent loss in jobs in the city
11 between the years 2003 and 2004, when we draw the
12 comparison.

13 Now, what's an additional concern

14 is that the city had the opportunity to levy a tax, the
15 Occupational Privilege Tax, and increase it to an
16 amount of \$52 for all residents and non-residents
17 working in the City of Scranton, and the Mayor passed
18 on that opportunity.

19 That would have generated, I
20 believe, \$1.6 million approximately in increased
21 revenues in the City of Scranton this year. And we
22 missed the boat.

23 So, not only are jobs down, but
24 revenues haven't even been attempted to be raised.

25 MR. DIBILEO: Thank you,

0043

01 Mrs. Evans. And based on those calculations, it would
02 seem as though the 3,000 jobs are really a figment of
03 someone's imagination, but I thank you.

04 Lee Morgan.

05 MR. MORGAN: Good evening, Council.

06 The first question I have is, Mr. Mr. McTiernan, it's
07 been stated in the newspaper that you supported CRF,
08 would that be a true statement?

09 MR. McTIERNAN: Yes.

10 MR. MORGAN: Do you know what that
11 fund was established for and how -- what parameters
12 it's supposed to function under? And I'm not only
13 asking you this question, but you know what, I'd like
14 the Council to research this and get back to all of the
15 residents and tell the residents of this city what
16 parameters that fund was supposed to operate under.
17 And, Mr. McTiernan, at that time,
18 and I'm not being critical, you know what, I'm a
19 pro-freedom of speech person, I appreciate
20 Mrs. Williams coming here, I appreciate what everybody
21 says. I'm not a Doherty supporter or a detractor, but
22 you know what, it's time to come up and state what's
23 actually going on here, and maybe next week you'll have
24 enough time, sir, to do research yourself and find out
25 what your opinions are and why they are.

0044

01 And I'm not going to try to put
02 you on the spot here, because I don't think that's fair
03 either, and I want you to be as armed as you could
04 possibly be with the facts and present them as you see
05 them, the same with the Council.

06 I think it's really important to
07 give the residents to see some actual facts. You know,
08 we're sitting here and we're talking about 3,000 jobs
09 created, when the reality of it all is, we may have

10 created 3,000 jobs, that could be a very true number,
11 but the only thing we're not talking about is how many
12 jobs did we lose while we created those 3,000?
13 Take a very hard it look at this
14 city and see it. Dixon Brothers, I drive by them every
15 day with my employment. They moved to Clarks Summit.
16 Everybody in business is moving out of here as fast as
17 their little feet will take them, okay?
18 We have gone to a process of
19 condemning as many properties as we possible can. I
20 can't understand why. Really, I can't.
21 I mean, you look around this city
22 and all you see is vacant lots, condemned properties,
23 vacant properties, people running for cover, okay?
24 And, you know, I'm not going to
25 put this all at the mayor's feet, okay, because I
0045
01 really think for once the people have to come
02 together.
03 Now, Scranton Lackawanna Taxpayers
04 and Citizens Association, we've only been around for
05 three or four weeks. 61 was so threatened by us they
06 took us off the air.
07 But now we've organized. We've
08 met all the parameters they needed us to meet,
09 including filing for organizational things with the
10 state, and we should be on the air again at our next
11 meeting.
12 But, you know, we're going to ask
13 a lot of questions, okay? You know, you listen to what
14 Andy said here, a lot of people have been saying the
15 same things for a long time and they're very true,
16 Regina, Andy, an awful lot of people.
17 I had people who actually, you
18 know, it's not only my opinion that looked at this
19 agreement with CRF, it's a joke. That's my opinion.
20 And next week I'll come with my facts, and Council can
21 bring their own, okay?
22 This city has been looted over a
23 very long course of time. You see what's going on with
24 the Scranton Redevelopment Authority and the Parking
25 Authority and you see the amount of debt that this city
0046
01 is just continually gobbling up, as all the residents
02 lose all the value on their property because we all
03 know who is responsible for this city's debts.
04 We're in arbitration with our own
05 fire department and police department continually, and

06 continually losing. There's a lack of leadership here.
07 You know, we're not going to talk
08 about restoring pride, because you know what, false
09 pride is a very silly thing, okay? Pride doesn't last
10 very long.
11 What we need is a reality check
12 here, okay? We need this Council to come together and
13 move with the Mayor, if possible, or we need a new
14 mayor and a new council.
15 I'm not being critical, because we
16 have to go the right way. Our population base is
17 dropping. They comment in the paper and they talk
18 about how Hispanics have come here and they're
19 16 percent of the population.
20 You know, we welcome all legal
21 immigrants, okay, but out of that 16 percent, how many
22 are illegal, okay? I mean, you know, you have to be
23 realistic here, okay?
24 All our ancestors came from
25 somewhere, okay? But this city is in big trouble here,
0047
01 and it's time to just take a new direction, it really
02 is.
03 I mean, we've talked about
04 subpoenas here, and I've been critical of this Council
05 for not using its power of subpoena. There's
06 absolutely no excuse for it.
07 It's not just a thing to pound the
08 Mayor, okay? I mean, you take a good look, there's no
09 excuse why we've change roles in regards to the Hilton.
10 What's happened to all our funds
11 that have come from all over the place? They've all
12 disappeared. Nobody has any answers, nobody wants to
13 come forward with any answers.
14 You have private individuals
15 coming here and telling you stuff that the mayor and
16 his administration should be sharing with this
17 Council. And it's not happening.
18 And either that's the Council's
19 fault or the mayor's fault, but it's somebody's fault,
20 and it has to be changed.
21 You know, we're even talking about
22 projects at the courthouse. You know, this is just a
23 spend, spend, spend, spend, spend and never pay
24 operation here from the county to the city.
25 I mean, you know something, I have
0048
01 to say one thing here and be honest, the last Council,

02 the previous Council to this one, Mr. Murphy,
03 Mr. Hazzouri, and, you know, the whole Council, they
04 torpedoed this city. They ran everything through for
05 two years that the mayor wanted and never asked one
06 question, okay?
07 And that's a very sorry thing when
08 you take the people who elected you to office to do the
09 right thing for them and feed them to the dogs, okay?
10 Because you all know we do have a
11 dog problem in this city, okay? And, you know, it's
12 just terrible. So, you know what, I would appreciate,
13 and I am going to walk from this podium, but I'd
14 appreciate this Council, all five members, telling us
15 what was so good and so bad with that CRF thing and
16 let's have some real dialogue here and let's inform the
17 public. Thank you.
18 MR. DIBILEO: Thank you,
19 Mr. Morgan. Les Spindler.
20 MR. SPINDLER: Good evening,
21 Council. Les Spindler, Bullwer Street, Scranton.
22 MR. DIBILEO: Good evening.
23 MR. SPINDLER: Last week
24 Joanne Williams said that Mr. McTiernan and Mr. Pocius
25 have an obligation to their jobs, it's hard for them to
0049
01 make the twelve o'clock meetings, well, they also have
02 an obligation to the people that put them in office.
03 These meetings are posted well in
04 advance, and I'm sure everyone could rearrange their
05 schedules accordingly.
06 MR. McTIERNAN: Mr. Spindler, I'm
07 going to cut you off there.
08 MR. SPINDLER: I have --
09 MR. McTIERNAN: I understand. You
10 can turn his time off for a few minutes. First of all,
11 I remember there was a meeting here where there were
12 things missed and other members missed meetings for a
13 variety of things, and they were all acceptable, so I
14 don't expect you to come here and criticize while I was
15 there.
16 Number one, I had surgery; number
17 two, my wife had surgery; number three, at a caucus
18 meeting three or four weeks ago, we had made a decision
19 that we were not going to meet in August.
20 So, when I worked on that
21 decision, when my boss told me I had a meeting and a
22 Council meeting, I was there, because I was operating
23 under that premise.

24 We've changed it. I've made my
25 meetings this month, I'm going to make every attempt to
0050

01 make the meetings. In the future -- every meeting I
02 can be here, I can be here, so I would appreciate it if
03 you would give me the deference that you give the other
04 members here that you support, the same deference you
05 give them.

06 We've made every effort to be
07 there, and other people have been there and been
08 excused because they've had family crises or other
09 things to deal with. So did I.

10 Just because I'm not on your side
11 of the fence, doesn't change anything. So, thank you
12 very much in advance for the deference you've offered
13 the other members of this Council. Thank you.

14 MR. DIBILEO: Let me just jump in
15 here, in defense of Mr. McTiernan, when I asked that
16 Council not take its traditional break from business
17 for August, there was no mandatory reasons for coming
18 to the meetings, I simply said, Well, anyone is --
19 whoever is able to come, you know, would attend the
20 meetings.

21 So, you know, if Mr. McTiernan had
22 other plans because he would have thought we were going
23 to be off in August, that's perfectly fine.

24 Mr. Pocius, the same thing.
25 But I'll get to the meeting time

0051
01 between the twelve noon and seven o'clock a little bit
02 later, Les. But sorry to interrupt. Go right ahead.

03 MR. SPINDLER: Well, I'm just
04 expressing my opinion. I'm entitled to my opinion.
05 And for Mr. Pocius to say he's not coming because
06 there's nothing on the agenda, that's a total lack of
07 respect for the people of this city that put him into
08 office, and I don't think he should be paid.

09 Again, last week Mr. O'Brien said
10 about 3,000 new jobs in this city, I'll make a
11 challenge, if he could document 3,000 jobs in this city
12 under Mayor Doherty, I'll never attend another meeting
13 in these chambers again. And as Mrs. Williams said, a
14 couple restaurants, 135 people, that's a far cry from
15 3,000.

16 Something else Mr. O'Brien said,
17 all the roads that Mayor paved, well, whether you know
18 it or not, Mayor Doherty doesn't pave the roads. Every
19 time we put gas in our cars, we help pave the roads.

20 A portion of the gas tax goes to
21 the money that the state gives us to pave the roads.
22 So, it's not Mayor Doherty that's paving the roads,
23 it's everybody that puts gas in their cars. So, I
24 think when people come here, they should get their
25 facts correct.

0052

01 A couple days ago there was a
02 letter to the editor by Kenny Miller. He says, Council
03 changed their meetings -- or wants to have the meetings
04 in August because they want to get an early start on
05 next year's as budget.
06 That's not the reason why Council
07 wanted to have the meetings in August. They wanted to
08 have the meetings to try to rectify the situation with
09 the Hilton and try to save the citizens of this city
10 \$3 million. Another fact in the paper the Times
11 printed which was incorrect.
12 There was an article about crime
13 in Sunday's paper, this is just between August 1 and
14 August 7, there were eight violent crimes in
15 West Scranton, and in the same period police were
16 called to South Scranton seven times,
17 North Scranton three times, none at all in Green Ridge,
18 and were downtown in the Hill Section ten times.
19 Now, Chief Elliot didn't make a
20 big deal about -- these are violent crimes, they are
21 not j-walking violations.
22 Again, there was a big gang war
23 down at the Lackawanna Little League last night.
24 Chief Elliott on the news tonight said, We don't have
25 gangs.

0053

01 I know for a fact there's one gang
02 in West Side called the JRBs, and they were ones
03 involved in the fight last night.
04 Next thing, I seen in the paper
05 the other day where Mr. Scopelliti kicked out
06 Mr. Pilchesky from Nay Aug Park just for taking
07 measurements in the pool area.
08 Last time I checked, this was a
09 free country and you could do whatever you want within
10 reason. Nay Aug Park is a public park. He was a
11 person in there just taking measurements.
12 To my knowledge, there's no law
13 against going up there and taking measurements. It's
14 another example of this administration trying to bully
15 people around, and I don't think we should let them get

16 away with it.

17 Moving on, Mayor Doherty has a
18 commercial on the air now, it's Leadership We Can
19 Believe In. He starts off saying he loves Scranton and
20 he loves his neighborhood.

21 Well, how about all the other
22 neighborhoods? There's not just Green Ridge. The only
23 time he shows up in the other neighborhoods is to get
24 his face on the news and to push his public agenda.
25 Leadership we can believe in.

0054

01 He said he would put the money
02 from the sale of the golf course in a trust fund. He
03 didn't do that. Is that leadership we could believe
04 in?

05 He said he would be the sixth
06 councilman, he's never showed up for one meeting. Is
07 that leadership we can believe in?

08 He said he wouldn't lay off any
09 policemen, contrary to what Mrs. Williams said, he's
10 laid off 22 policemen.

11 He says there's no crime in the
12 city, well, contrary to the police statistics, the
13 state police statistics say that there is crime up in
14 the city. Is that leadership we can believe? I don't
15 think so. Thank you.

16 MR. DIBILEO: Thank you,

17 Mr. Spindler. Robert Baron.

18 MR. BARON: My name is

19 Robert Baron, Scranton resident, homeowner, taxpayer
20 and third class citizen.

21 I'm here this evening not to pick
22 on any individual, but just to air my complaints. I
23 have some snapshots I've taken, and I'd like to
24 approach the Council so they could look at it while I'm
25 talking.

0055

01 MR. DIBILEO: Sure. Bring them
02 right up, Mr. Baron.

03 MR. BARON: I'm an avid listener
04 and observer of Channel 61 and leave the goings of our
05 city to those that do their homework.

06 Number one, I live next door to a
07 house that has been abandoned for over three years. It
08 was condemned by the city. It's an eyesore for the
09 whole block. The sign has been taken off. Why? I
10 don't know.

11 The weeds are growing and the

12 grass hasn't been cut this year. The people that
13 bought this property and was going to fix it up
14 evidently have changed their minds because of the
15 condition it's in.
16 How would you like to live next
17 door to something like that? I know some of you live
18 in the Green Ridge section, if you'd just drive on
19 Quincy Avenue towards town, you'd see what I'm talking
20 about.
21 In the back of my house is an
22 empty lot. The house that was on there was torn down
23 about five or six years ago. The lot has never been
24 cut. The grass has never been cut.
25 The person that owns this lot
0056
01 refuses to do anything. I often wonder, and I really
02 wonder, if any taxes are paid on any of these lots of
03 the condemned houses. Are they -- do they pay taxes?
04 MR. DIBILEO: We can look into
05 this particular lot for you, if we have the address
06 here.
07 MR. BARON: I'll tell you, it
08 scares me to think what's going on in this home and the
09 empty lot next to me.
10 Next to this lot is another house
11 that has been condemned, and really grass is growing
12 out the front. It's ridiculous. When the city paved
13 our block, they accidentally went over the corner and
14 cracked the sidewalk.
15 Now, on my block the city did it,
16 and you can see by the picture where it was cracked. I
17 called and I reported this, but, again, I'm a third
18 class citizen, so it goes by, well, that's that.
19 It would be nice to have our block
20 swept, but as of now, the sweeper goes up and down the
21 middle of the street, and guess where the mess is?
22 I know, Mrs. Evans, I think it was
23 last year you wanted to get another sweeper, because we
24 only had two, but believe me, it's a waste of time when
25 a sweeper goes up and down the middle of the street and
0057
01 the mess is on the sides. I mean, why bother even
02 taking them out? It's taking time and wasting our
03 money, believe me.
04 Well, being a third class citizen,
05 I guess I'll just have to sit on my rocker on my porch
06 and just come to the conclusion that you can't fight
07 City Hall.

08 I'll tell you, I will be back. I

09 will try to be back in a couple of weeks just to report

10 to see if anything has been done, which I doubt. Thank
11 you.

12 MS. EVANS: Mr. Baron, Kay has

13 your photographs. If you want to wait a few minutes,

14 she can return them to you, or if you would prefer, we

15 can send those along to Mr. Parker and Mr. Fiorini to

16 take a look at, but she's also taking down the

17 addresses and the problems that are displayed in each

18 photograph so that hopefully we're going to get to work

19 on this, pursue it for you.

20 MR. BARON: You know, Mrs. Evans.

21 Excuse me. I talked to Mr. Fiorini about three times

22 already in the past over a year. Third class citizen,

23 just ignored completely.

24 MS. EVANS: Well, I won't ignore

25 you, Council won't ignore you. Mr. Fiorini is very

0058

01 busy, not, you know, I'm not trying to excuse him, but

02 rather just state facts that it's an office that, in my

03 opinion, is short staffed, and the inspectors are given

04 so many duties throughout the City of Scranton, whether

05 it's condemning homes, inspecting abandoned homes,

06 abandoned lots, abandoned vehicles, junk vehicles,

07 catch basins, you name it. There are a myriad of

08 duties they perform.

09 And I do agree with you, that in a

10 year's time, and having been told three times, you

11 should see action, but I do ask you at the same time to

12 understand that, frankly, that office is overwhelmed,

13 because our neighborhoods are littered with problems

14 that have been increasing year after year over the last

15 four years.

16 So, it's catch-up time now. And

17 you know what, I'd say to you, too, we're lucky because

18 we're in the middle of an election cycle, and I think

19 you might actually see things done a little bit faster.

20 MR. BARON: Well, I hope you have

21 better luck than I have.

22 MS. EVANS: So do I.

23 MR. BARON: I know you sent me an

24 Email that you were going to talk to him about it, but

25 it has been over a year, so --

0059

01 MS. EVANS: And I sent along those

02 requests, and I know what you're talking about. As

03 soon as I heard your name, I knew.

04 MR. BARON: You know what, I'm
05 going to try to get back here about in a couple of
06 weeks, I want to see if anything is done, if that would
07 be all right.

08 MS. EVANS: Yes. That would be
09 very good. You keep us informed so that we can
10 continue to pursue your problems until they are solved
11 to your satisfaction.

12 MR. BARON: I would appreciate it.
13 Thank you very much.

14 MS. EVANS: You're welcome.

15 MR. DIBILEO: Thank you,
16 Mr. Baron, and thank you, Mrs. Evans, for volunteering
17 to help him out. And John Keeler.

18 MR. KEELER: Good evening,
19 Council. My name is John Keeler. I'm a resident of --
20 I live on Orchard Street, Nativity Section,
21 South Scranton. My wife and I have been homeowners
22 there now for 27 years.
23 I grew up in West Scranton,
24 South Rebecca Avenue, and I had some prepared remarks
25 which I'm going to use, but I'm sitting back there and
0060

01 I really don't know where to start.
02 Number one, KOZ is not free.
03 Under any circumstances is KOZ free. KOZ is a tax
04 abatement program instituted by the State of
05 Pennsylvania in 1998.
06 The amount of money that's
07 invested so far since the inception up until
08 November 30 of 2004 in the Lackawanna/Luzerne District
09 is \$908 billion. That is private investment.
10 Now, that private investment could
11 be cash capital or it could be borrowed capital, but it
12 is still capital.
13 What is happening here is there's
14 so much distortion as far as what this information is
15 being presented here, as a citizens, as a taxpayer, I'm
16 outraged that this type of situation -- a gentleman
17 just after being told that Doherty has not laid off a
18 single cop, got up here and said that he did without
19 any sort of retort whatsoever.

20 MR. DIBILEO: Mr. Keeler, let me
21 stop you just for one second. There's no retort,
22 because there are less police officers --

23 MR. KEELER: You had retort for
24 Mrs. Williams.

25 MR. DIBILEO: -- than there used

0061

01 to be. So, go right ahead. I'm sorry.

02 MR. KEELER: But you had a retort

03 when you clarified your statement about the complement

04 of police, so I just want to make sure that -- and this

05 gentleman talking about South Scranton, I live in

06 South Scranton. South Scranton is a great place to

07 live.

08 Every single week I turn on this

09 channel and it's like South Scranton was a war zone.

10 It's not a war zone. There's thousands and thousands

11 of good solid people who live in South Scranton,

12 taxpayers, homeowners, hard-working people. It's just

13 unbelievable that this sort of outrageous behavior is

14 tolerated. And I've had it. I'm not going to sit by

15 and let it continue.

16 Number two, as far as the sale of

17 the million dollars, the \$5.2 million, people must not

18 understand the concept of present value, because if you

19 sold \$5 million worth of loans today, you could

20 reinvest that money and make more money than the

21 \$5.2 million. So, you sure as heck don't understand

22 present value or you wouldn't have vetoed that.

23 Second of all, as far as what

24 Mayor Doherty, what's has happened here in this city

25 since he has become the mayor, in 2001, there was a

0062

01 \$1.7 million paid in real estate transfer tax.

02 For those of you who don't know

03 what a real estate transfer tax is, when a house is

04 sold or any real estate, for that matter, in the

05 City Scranton, it's a 3.7 percent transfer tax. The

06 buyer pays half, the seller pays half.

07 In 2004, that number jumped from a

08 \$1.7 million in 2001, to -- or in 2004, it jumped to

09 \$2.6 million.

10 This year, 2005, is on a pace to

11 do \$3 million in transfer tax. Now, that's a pretty

12 hefty increase from a \$1.7 million to \$3 million.

13 Then if you take those numbers

14 even farther, that's \$81 million in properties that

15 have been sold in Scranton this year, \$81 million.

16 Now, people can say, well, they're

17 being sold, yes, but they're also being, what,

18 purchased. These numbers are accurate. Where did I

19 get them? From the Recorder Of Deeds office.

20 The other night I was watching and

21 a Councilperson asked about whether or not what would

22 happen if Southern Union would vacate that building,
23 what would happen. That is readily available, that
24 information, on the website. Newpa.com.

25 Any tenant, whether Southern Union
0063

01 would have to sublease or what, any tenant would have
02 to go through the application process for the tax
03 abatement.

04 You folks should know that. You

05 -- there's three governing bodies in the

06 City of Scranton that have to act on KOZs, the city,
07 the county and the school district.

08 It's unconscionable to me as a

09 business person -- and by the way, I know businesses
10 that have invested millions of dollars in Scranton and
11 have added jobs under Doherty's administration.

12 We're going to continue to do

13 that. We believe in Scranton. We have the faith and
14 confidence in the people and in the infrastructure here
15 in this city.

16 And I am going to say one more

17 thing, I heard a person here say after Ray Hayes spoke,

18 you talk about personal, I heard a person say here that

19 Ray Hayes, who is a professional, you can dispute all
20 day long about his salary and everything else, but he's

21 a professional good man, that he has a TV in his
22 office, Well, that's okay because the monkeys at

23 Nay Aug have a TV in their office.

24 Now, you tell me that isn't

25 personal? You tell me that that's legitimate, that
0064

01 sort of three-year-old comment is appropriate to be
02 discussed on television and in front of a governing
03 body? You ought to be -- that's just unbelievable.

04 I would say that based on the

05 Home Rule Charter, which I have a copy of here, if

06 you'd like to see it, is that you are -- you know,

07 there's an opportunity here for the Council to restrict

08 public input to items on the agenda. That's right in

09 the Home Rule Charter. Thank you.

10 MR. DIBILEO: That happened

11 before, Mr. Keeler, and when you're finished, I'm going

12 to have Mr. Walsh respond to that comment.

13 MR. KEELER: It says in here, the

14 complete sentence says, Or as Council sees

15 appropriate. But, it does say -- there hasn't been a

16 comment made here tonight that had anything to do with

17 anything on any agenda. Thank you.

18 MR. DIBILEO: Regarding that
19 comment, Mr. Keeler, a previous Council attempted to do
20 that, and I believe Judge Mazzone had a ruling on that
21 actual movement, and Mr. Walsh might want to --

22 MR. WALSH: Yes, if I may. And I
23 believe, Mr. President, that that's accurate. I think
24 what Mr. Keeler is referring to might be the rules of
25 Council, and I believe that they may in fact say that,
0065

01 but the rules of Council are superseded by the
02 United States Constitution, First Amendment of which,
03 gives a right to Freedom of Speech.

04 When the rules of Council were
05 written, I think the intent there was to try to
06 restrict comment to the agenda items, otherwise you'd
07 have many people coming in and speaking on items that
08 quite frankly weren't on the agenda.

09 I think when it went before
10 Judge Mazzone, and I wasn't there, I haven't seen the
11 opinion, but my thought is based on my knowledge of the
12 First Amendment, and I do teach a class at Lackawanna
13 in part based on the First Amendment, is that if you
14 can't come into a public forum and discuss your
15 displeasure with certain public officials or discuss
16 your displeasure or pleasure with the way things are
17 going in government, aren't you essentially having your
18 First Amendment Rights stymied?

19 So, again, I think the conflict
20 there came in, the fact that although it was good
21 intention by the founders of those rules, I think that
22 the jurist who I know well, and he understands the
23 First Amendment probably a lot better than I do,
24 thought that, you know, to restrict public comment to
25 simply agenda items where people had issues that were
0066

01 bothering them and the only opportunity they to reach
02 their government through public forum would be these
03 Council meetings, to restrict that would be a violation
04 possibly of The First Amendment or in essence would
05 stymie their rights under the United States
06 Constitution.

07 So, although, Mr. Keeler, I think
08 you're absolutely right in your reading of that, I
09 think essentially what has happened is Judge Mazzone
10 has found that there should be a wider right to
11 participation in a public forum in the sense of being
12 able to speak on other items.

13 So, I do in essence agree with you

14 in the sense that it does say that, but the
15 interpretation that the court has rendered with respect
16 to whether that's enforceable is different, and I think
17 that's what Mr. DiBileo was referring to, sir.

18 MR. KEELER: Thank you.

19 MR. DIBILEO: Thank you,

20 Mr. Walsh. So, basically Judge Mazzone's ruling is
21 that Freedom of Speech wins over limiting speech.

22 MR. WALSH: Well, if it comes down
23 to Council rules or the United States Constitution,
24 United States Constitution wins every time.

25 MR. DIBILEO: Thank you,

0067

01 Mr. Walsh.

02 MS. EVANS: I just wanted to
03 comment on two issues. First of all, Council -- well,
04 perhaps I shouldn't speak for Council. I am only going
05 to speak for myself.

06 I have never said or insinuated
07 that the people of South Side are anything less than
08 wonderful or that their homes are anything less than
09 wonderful, have I?

10 Also, I regularly attend these
11 South Side Resident Association meetings, where I
12 listen to not one, not two, but many, many serious
13 problems and issues monthly that are expressed by
14 people who have resided in South Side, well, actually
15 some of whom have resided in South Side even longer
16 than you would have mentioned, and the sad part is,
17 they've said to me, and I'm going to -- and these are
18 very good people, and that's an excellent resident
19 association and community justice program, and they've
20 said to me, It's very sad to feel ashamed of where
21 you're living now. And they don't mean their home.

22 They remember when it was safe and
23 they remember when families took care of one another.
24 They remember the days before the drug problems, the
25 prostitution problems, the problems of violence in
0068

01 those neighborhoods, the problems of absentee landlords
02 and crime, and they would like to see a return to the
03 way their neighborhood used to be, because they don't
04 want to leave either. They were born and raised in a
05 homestead, and they're still there.

06 Also, with regard to Southern
07 Union and my posing questions to Southern Union, I feel
08 it's absolutely necessary that I would ask that
09 corporation, rather than the administration, because

10 the administration knew for quite a number of months
11 that Southern Union would not be bringing the
12 originally stated number of jobs to the Scranton
13 Headquarters, and that was never revealed to the people
14 until after primary election.

15 And so, because I've had a history
16 of either not receiving responses from the
17 administration or receiving them in less than a timely
18 fashion, I prefer to ask the company who is involved
19 the questions that affect the taxpayers of the
20 City of Scranton, and they are the questions asked by
21 taxpayers. I am posing those questions for them.
22 When I don't have the answer, I do
23 promise them that I will find the answer for them, and
24 that's simply what I was doing.

25 MR. DIBILEO: I'm sorry,
0069

01 Mr. Keeler, that you're outraged to have to listen to
02 people's complaints, but they do have a right to make
03 those complaints, and it's our job to listen. That's
04 it for the sign-in sheet. Anyone else like to speak?

05 MR. DIBILEO: I'm sorry. We have
06 a speaker at the podium, if you could refrain from
07 speaking, please. Go right ahead, sir.

08 MR. DAVIS: My name is Jim Davis
09 and I'm from Scranton. It's a shame that we don't have
10 legislation that we could have pushed through this
11 summer. We need legislation, we need legislation very
12 badly, because there are many things that need to be
13 done.

14 I thought that we would have by
15 now at least one or two forms of legislation that would
16 come out of your minds and your work over these next
17 two weeks that we could work on, but it doesn't seem
18 like it's gone to be.

19 This is something that has to be
20 done. You have to be able to go on in the city. You
21 can't let the city stop because the mayor doesn't put
22 forth legislation.

23 There are people who've come here
24 week after week and they're giving you ideas, etc.
25 Okay, where are the people from Scranton Housing
0070

01 Authority? Why haven't they come through with their
02 budget and relayed to you -- they closed down a whole
03 section of Washington West.

04 They had 54 units. Out of the 54
05 units, only 25 of them are livable right now. They've

06 had money coming to them from the federal government
07 and the state government to maintain those buildings
08 over there.

09 And when they take them to court,
10 when they take them to federal court and they stop
11 their movement of people, the city still never said
12 anything. There was never even a quiver from the
13 Council who has to actually review their work. They're
14 an authority of Scranton, Scranton Housing Authority,
15 that's what their names are, and they own a lot of
16 property and they control a lot of lives.
17 And the people from
18 South Side, when they start coming in here and saying,
19 We want to put a fence up with barb wire on the top of
20 it so the people from Valley View can't come down over
21 our place, what are you talking about?
22 Are you going to imprison people
23 now because they live in the projects, because they
24 can't walk on your sidewalk, they can't walk in your
25 backyard? All right.

0071

01 That path that goes from
02 Valley View to Hill Top has been there for years and
03 years and years. Since 1960, people have been
04 transversing that same path, before many of these
05 people from South Side even lived there.
06 Now, I am getting a little -- I'm
07 a little fired up about this, because it sounds like
08 the sixties all over again to me, the same racial
09 prejudice that I stopped talking about seems to keep
10 creeping out into people's minds, and the gap between
11 the poor and the rich keeps getting bigger and bigger
12 and bigger, and we're not doing anything, neither
13 through legislation or education nor health, to stop
14 this.

15 MR. McTIERNAN: Mr. Williams, can
16 I interrupt you for a moment? I want to let you know
17 that educationally the Scranton School District is.
18 The Scranton School District is taking part in two
19 Pennsylvania Department of Education initiatives, one
20 of which is called the Page One Initiative, and the
21 sole purpose of that initiative is to reduce the
22 achievement gap between minority students and white
23 students and economically disadvantaged students and
24 non-economically disadvantaged students.

25 Scranton High School is

0072

01 participating. We're also a part of a program that we

02 just spent the training on for six days over the summer
03 where the district is dedicating time, money, resources
04 and personnel, and it's called the Pennsylvania
05 Department Of Education High School Coaches Initiative,
06 and that is designed to increase performance in
07 literacy across all demographic groups.
08 There are plans afoot. We just
09 got our PSSA scores back, and I'm very happy to say,
10 even though this isn't a school board meeting, that the
11 Scranton School District performed well, that our
12 groups that you're referring to, particularly
13 economically disadvantaged groups and minority students
14 performed significantly better than we have.
15 We have invested considerable
16 resources in making gone sure that we are addressing
17 all demograhic groups in the district.
18 So, while I'm not prepared to
19 discuss what the city is doing, I am prepared to
20 discuss what is happening in Scranton High School,
21 since you mentioned --
22 MR. DAVIS: Is there a gap, sir?
23 MR. McTIERNAN: Yes, there is.
24 MR. DAVIS: There's a gap?
25 MR. McTIERNAN: Yes, there is.
0073
01 There's a gap in the entire --
02 MR. DAVIS: Why is there a gap?
03 MR. McTIERNAN: I can't tell you
04 why. All I know --
05 MR. DAVIS: Then why are you
06 correcting it now?
07 MR. McTIERNAN: Because there's a
08 gap, and if we don't, it's only going to get worse, and
09 then you'll be up telling us that we're not doing
10 anything about it. That's a start.
11 MR. DAVIS: I'm saying that the
12 whole world is doing something about it.
13 MR. McTIERNAN: Absolutely. We
14 reduced the gap.
15 MR. DAVIS: Every single
16 country --
17 MR. McTIERNAN: I don't need to
18 debate you, Mr. Williams. I have the statistics.
19 MR. DAVIS: My name isn't
20 Williams. I know you know Chimesy, and I'm not
21 Chimesy.
22 MR. McTIERNAN: I apologize for
23 the name mixup.

24 MR. DAVIS: It's all right.

25 MR. McTIERNAN: But I'm telling
0074

01 you that we are.

02 MR. DAVIS: I've only come before

03 you about 9,000 times. I even said my name here.

04 That's an insult, sir. I want you to know that, too.

05 MR. McTIERNAN: I apologize if you

06 take it that way, but there was none intended. And I

07 take that just as insulting that we don't do anything.

08 MR. DAVIS: Not even a problem.

09 MR. McTIERNAN: Thank you.

10 MR. DAVIS: Not even a problem,

11 sir.

12 MR. McTIERNAN: Thank you.

13 MR. DAVIS: But I'm saying that

14 the gap does exist, it has existed, and it's going to

15 exist as long as you don't bring in the community to do

16 something about it, and you're not going to do that

17 either.

18 MR. DIBILEO: Thank you,

19 Mr. Davis.

20 MR. BUDZINSKI: Fred Budzinski,

21 Jermyn Apartments. Good evening, Council and senior
22 citizens.

23 MR. DIBILEO: Good evening,

24 Mr. Budzinski.

25 MR. BUDZINSKI: First I was told

0075

01 to thank Lee Morgan, Les Spindler, Nancy Krake and

02 Jim Davis for speaking on them benches down the 100

03 block of Wyoming Avenue. I have quite a bit of names

04 here.

05 And then what they're doing,

06 they're putting two together and I got quite a few of

07 these, come out with these here, all these names.

08 And the mayor, he removed the

09 benches on the 200 block of Wyoming Avenue and said,

10 Walk a block, and the exercise will do you good, he

11 said, I think.

12 And anyway, at the 12:30 mass,

13 there was a few people I talked to that walk a half a

14 block and sit on those benches in front of where the

15 Ritz was, and now they have to walk another block and

16 stand up.

17 And on this petition, some of

18 these people I've talked to, in fact there's 14

19 Colts Bus drivers signed this petition, and they think

20 it would be a damn good idea to get those benches
21 back.

22 Also I talked to several that was
23 on crutches coming from the hospital or the doctors,
24 and they said it's hard for them to stand up waiting
25 for the Colts buses, and I did talk to a couple of
0076

01 ladies, a woman, that were pregnant, expecting a baby.
02 And they said it's kind of hard for them to just stand
03 up while they're waiting for benches. Well, so much
04 for that.

05 Anyway, I hear a lot of talk about
06 Saint Peter's, whatever you call it, shopping center or
07 something coming up, but I'll believe that when I see
08 it.

09 Anyway if it does come true, the
10 first practice on that should be a supermarket, a
11 supermarket, and then used that for the anchor for
12 other businesses to go around there. That will
13 stimulate traffic. That would be the anchor of
14 downtown, and that's the only way to go on that one.
15 And then I hear a lot of talk

16 about jobs, a lot of jobs, 3,000 jobs coming up. Well,
17 on the other end of that, I think we allowed 3,000
18 people in this city from the last five years, and you
19 want to talk about figures, I can even come up with
20 that.

21 You check the newspapers, almost
22 every day somebody is selling their house, I mean,
23 selling their furniture and they're moving out.
24 They're moving out.

25 And check your garage sales,
0077

01 almost every Saturday you'll find two or three claiming
02 want to sell their furniture and they're moving out.
03 Where they're moving, I don't know, but they're moving
04 out.

05 So, that is numbers on that one,
06 and I could probably go on other incidents why some of
07 them others are moving out. So, I want to thank you.

08 Thank you.

09 MR. DIBILEO: Thank you,
10 Mr. Budzinski. Mr. Budzinski, if you haven't done so
11 already, would you leave those names with Kay, people
12 that are --

13 MR. BUDZINSKI: Oh, I'm sorry,

14 Mr. DiBileo, I don't want to list their names, because
15 these women for another two months are going to collect

16 a lot of names. I will give you the names in maybe
17 about another month.

18 MR. DIBILEO: Okay. Because I
19 think a few benches downtown, especially for senior
20 citizens, is a good idea.

21 MR. BUDZINSKI: They got a lot of
22 benches in the second block of Wyoming Avenue. We
23 don't need benches down there, we need about eight
24 benches on each side where the sidewalks projects out
25 more into the street, eight benches facing for the bus,
0078

01 where the bus comes in and picks up. Eight benches on
02 each side of that street. Thank you.

03 MR. DIBILEO: Thank you,
04 Mr. Budzinski.

05 MR. ROSAR: Good evening,
06 Council. My name is Wade Rosar, North Scranton
07 resident, born and raised in the Hill Section, recently
08 moved to North Scranton.

09 I hear people saying, Yeah,
10 there's all these new jobs. I'm willing to wager most
11 of these jobs are coming in the form of drug dealers,
12 and we don't even have people to protect us.

13 I'm very appalled with this city.
14 I contacted a patrolman, told him we have a problem
15 between my house that this drug problem's going on
16 between an established business after the hours he's
17 closed in between my house with drug dealers climbing
18 over my ramp getting in between the two buildings.

19 I got told by this patrolman that
20 you're nothing but a nuisance. Is that being a
21 nuisance when you're getting threatened by people that
22 if you call the cops, you'll be killed? Is that being
23 a nuisance in this city to ask someone for help?

24 Prior to that, I am handicapped, I
25 tried getting a handicapped placard, and if it wasn't
0079

01 for some council members here that helped me out, I
02 would have never seen it, three years being disabled.
03 Yeah, it is an election year, and
04 I'm not saying that, but after all the help these
05 councilmen did, I called the mayor's office and I got
06 somebody there and they said, Well, what do you want us
07 to do? I said, Well, it's an election year, I need a
08 handicap sign. They were there in ten minutes thinking
09 I'm going to vote for him.

10 Is this how you got to get things
11 done in this city? I am appalled. I mean, I shouldn't

12 have to go through that harassment by patrolmen that
13 are getting paid to protect us. Where do I go from
14 here? My next step is calling the state.

15 And by the way, I have
16 documentation, I have neighbors that heard me talk to
17 this patrolman, and we will be filing a possible
18 lawsuit. Thank you.

19 MR. DIBILEO: Thank you,
20 Mr. Rosar.

21 MR. NEWCOMB, SR.: Good evening,
22 Council. Just to touch on the gentleman said before
23 about people coming up and speaking on the agenda, the
24 only agenda that's on here is your City Council agenda.
25 The mayor didn't send an agenda, so there is no mayor's
0080

01 agenda this evening, and I believe we heard a comment
02 about the housing industry and all the businesses that
03 are being sold and everything in the city.

04 Well, he failed to also say a lot
05 of that probably has to do with the real estate rates,
06 with the bank rates, because they are a lot better than
07 they were four years ago, so I'm sure it has a lot to
08 do with it.

09 Another thing is we keep hearing
10 about crime in the city, and as you know, Mr. DiBileo,
11 you live over in West Side, it's getting just as bad as
12 South Side and the rest of them now.

13 There's an unsolved murder over in
14 West Side not too far away from where I live. Last
15 night there was a big fight at the Lackawanna Little
16 League Carnival, and even the State Police used the
17 word gangs, but our police chief, I don't know why, but
18 he refuses to use that word.

19 Well, when it comes over the
20 scanner 60 or 70 people fighting at one time, that's
21 more than a fight, that's a riot, and I believe a state
22 trooper was injured, and according to the news, his
23 wife was also punched. So, this wasn't just a regular
24 fight.

25 I also would like to make a
0081

01 statement that I ride over the Market Street Bridge,
02 and I do have to say it looks very beautiful, but the
03 sign there about the current mayor, Mayor Doherty
04 Restoring The Pride sign, makes me a little bit
05 disgusted.

06 If you remember, this goes back to
07 Mayor Connors wanting this bridge to be done, and I

08 believe, I cannot say which year it was, but when
09 Mr. Doherty was on Council, and somebody stop me if I'm
10 wrong here, I believe it was him and Mr. Pocius, who's
11 not here because whatever the reason may be because
12 there's no agenda or whatever the case may be, I
13 believe went to Harrisburg and made the statement to
14 the people down there that the only language that the
15 city of Scranton understands is when you hold back
16 money, and he was referring to because Mayor Connors
17 would not honor PEL's plan when we had a recovery plan,
18 so the same person that's being taken credit for
19 everything but building Noah's Arc, is also the same
20 person that really didn't want the money there for the
21 bridge in the first place because he felt that the City
22 of Scranton, that's the only language that they
23 understand is to hold back money and maybe they'll
24 follow the recovery plan.

25 I see Mr. Walsh isn't in here, but

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01 I just had a question for him, in labor law there's a
02 term, and it's called not does economics make a
03 decision -- oh, there is Mr. Walsh. Did you ever hear
04 that statement, Mr. Walsh?

05 MR. WALSH: I did not, but I'm
06 sure you'll educate me.

07 MR. NEWCOMB, SR.: Okay. What
08 that decision means, we heard some talk about
09 arbitrations, what that decision means in labor law,
10 when you go to arbitration, you cannot come in and cry
11 economics.

12 Simply what that means is if I
13 have a contract where I was to pay you "X" amount of
14 dollars a week and you sign and I sign, and say the
15 contract is for one year, and after six months I say,
16 Look, I can't afford to pay you this amount of money
17 anymore, so I'm going to reduce your salary, well, if
18 you take me in front of an arbitrator, I can't go there
19 and say, Well, my business suffered, I don't have the
20 work that I had.

21 He's going to say to me, Did you
22 agree to pay this gentleman for a year "X" amount of
23 dollars? And I'm going to say, Yes.
24 Well, I'm going to lose because I
25 agreed to pay you, which means I should have known that

0083

01 I could pay you this money for a year. So, that's what
02 I mean by that statement, and that's exactly what's
03 happened here in the City of Scranton with these

04 arbitrations. That's why we keep losing them. We
05 cannot cry poverty because it doesn't work.
06 And one more, I have a safety
07 issue, if anybody knows where South Grant Avenue is
08 where you come off of Washburn Street, you come down to
09 the stop sign there on the corner of North Grant and
10 Jackson, I don't know what the term is, so I'm going to
11 use the word sewer -- manhole grate, very small, it's
12 sticking up about, I'd say, 7 inches out of the ground
13 and it's very jagged, and you can't run over it with a
14 car because you're going to slice your tires.
15 So, everybody goes around it, but
16 there's a lot of kids that come through there with
17 bicycles and motorcycles and stuff, and at nighttime
18 you'll never see it.
19 I mean, I know it's there because
20 I cross there every day, but if you come across
21 South Grant and come to that stop sign, right there in
22 front of you on the right-hand side, this thing sticks
23 up out of the ground about that high and it's very
24 jagged, so if you can look into that, because somebody
25 is definitely going to get hurt there if they hit it or
0084

01 fall off a motorcycle or something.
02 And one more thing here before I
03 close, I did read a story in the paper about what
04 happened last week at the pool house.
05 If you remember about a year and a
06 half ago, I came here saying that I believe that the
07 pool house wasn't adequately -- we spent too much money
08 to build a small pool house for how many people that go
09 there, and as far as Mr. Scopelliti -- when he was in
10 here, Mr. DiBileo, when you had that, you know,
11 confrontation with him and you asked about his
12 resignation, I just want everybody to remember, and
13 it's on tape, that his statement was that all of his
14 lifeguards are Scranton residents, and it came out the
15 meeting after that they're not all Scranton residents.
16 Okay. Thank you.

17 MR. DIBILEO: Thank you.

18 Mr. Saunders, can you check the corner of
19 South Grant and Jackson Street, please? Thank you.

20 MS. PILOSI: Good evening,
21 Council. Violet Pilosi, resident and taxpayer.

22 MR. DIBILEO: Good evening.

23 MS. PILOSI: After my presentation
24 at this podium last week, I was overwhelmed by the
25 residents and taxpayers who contacted or approached

0085

01 me.

02 Voters' inquiring minds want to
03 know, Who is this ghost writer attorney and why doesn't
04 he come here and speak for himself?

05 The public is not dumb. They
06 recognize that the vocabulary of the reader is at the
07 opposite end of the spectrum from that of the writer.
08 That is obvious.

09 The continuous use by the reader
10 of the words like I, me, my, week after week, month
11 after month, is pure blatant deceit, and it's certainly
12 not Doherty deceit this time. Enough is enough. How
13 low can we go?

14 My response to these taxpayers was
15 that to the best of my knowledge this attorney has two
16 legs and a mouth and can certainly appear at this
17 podium and speak, if he so chose, but only
18 Sheldon Rosenberg himself can answer that question why
19 he doesn't, and at the same time answer questions
20 Council people may have about his manuscript as it
21 appears in the red three-ring binder.

22 MR. DIBILEO: Ms. Pilosi, I'm
23 sorry, but I don't think you should be mentioning names
24 and insinuating that someone is writing somebody's
25 speech.

0086

01 MR. PILOSI: It's not an
02 insinuation, it's the truth. It's my five minutes.
03 I'm sorry you don't agree with it, it's not what you
04 want to hear, but it's the truth. Thank you.

05 MR. DIBILEO: Thank you.

06 MR. NEWCOMB, JR.: Good evening,
07 Council. Before I get to what I say, Mr. McTiernan,
08 did you hear my comments last week that I was referred
09 to? I didn't know if you watched the meeting.

10 I just want to say them to you
11 personally that I stated before that I think you had a
12 good reason not to be here at the meetings, and that if
13 I come to this podium and I disagree with you, you've
14 always been a gentleman to me outside of the meetings,
15 and that's what I firmly believe is the difference
16 between you and Mr. Pocius.

17 99 percent of the time I do not
18 agree with you, and you probably don't agree with what
19 I say, but you can always agree to disagree with me,
20 and I think you should be commended for that.

21 MR. McTIERNAN: Thank you.

22 MR. NEWCOMB, JR.: I also take
23 very, very much insult when people come to this podium
24 and they say that because we come here and we speak
25 what we don't agree with, is that we don't like this
0087
01 city. And it wasn't stated exactly like that, but it's
02 insinuated.
03 And I chose to stay in Scranton
04 and buy a house in the city, not because I come here
05 and complain, but because I love this city. My parents
06 were born and raised here, my grandparents were born
07 and raised here, and their parents were born and raised
08 here.
09 So, for people to come here and
10 make an insinuation because they love the mayor and I
11 disagree with what he's saying is totally and
12 acceptably wrong.
13 I have a couple comments from what
14 I heard from some of the people that come to this
15 podium, and I just have a question, What do you call
16 something that's tax free for ten years? I call it
17 free, tax free, I don't know.
18 I still would like to ask
19 Mrs. Williams, the person that writes her questions,
20 because I personally don't believe they come from her,
21 but that's my own opinion, if I'm wrong, oh, well, but
22 I also only heard her give 135 jobs. Where is the
23 other 2900?
24 I would also like Mrs. Williams'
25 writer, if she has one; if not, she can answer, how
0088
01 come the Mayor hasn't reduced the wage tax, implemented
02 a quick response system, or put the money in the trust
03 fund from the golf course like he stated he was going
04 to? I would like that ghost writer to answer those
05 questions.
06 Last week when with I left the
07 podium, I was basically taken out of context, and I
08 would just like to clear the air that last week at this
09 podium out of respect for Mr. Catalano and his
10 business, I never mentioned his name, and I think I was
11 taken out of context.
12 I don't have any personal problems
13 with Mr. Catalano or his business. My grandfather was
14 involved in a supermarket in Scranton for years and
15 knew Mr. Catalano personally, so I don't have any
16 problems with Mr. Catalano, and I don't appreciate
17 being taken out of context, because I never mentioned

18 the guy's name.
19 What I said was, and I'll say it
20 again, he is very good at making hoagies, but he's not,
21 in my opinion, good at running the Republican Party.
22 That's what I said.
23 All over the City of Scranton we
24 see these new blue Scranton Times boxes popping up all
25 over the place. They're replacing -- some of them are
0089
01 replacing the ones that were there previously.
02 But it seems to me and others that
03 more of these boxes are popping up, so the question
04 that I have is, Is the Scranton Times required to get
05 permits to put up these boxes all throughout the city?
06 If you do anything to your home
07 from change a window to add an addition, you have to
08 come down here or the contractor and get a permit for
09 it.
10 So, if the Scranton Times is
11 putting up these new boxes all over our neighborhoods
12 and getting revenue from them, shouldn't they have to
13 get permits? And I'd like to know if we can find that
14 out.
15 It would be a shame if they don't
16 have to get permits, when they're such big political
17 contributors to the mayor.
18 Also, I watched Channel 16 this
19 evening before I came here, and it's a good thing I
20 have TVO, because I had to rewind it, when they were
21 talking about the -- it wasn't a gang violence, it was
22 called a fight last night over in West Scranton.
23 this was literally over in my backyard.
24 But Chief Elliot said that we have
25 no crime in Scranton and that this is not a gang, but
0090
01 because in a gang they have to do things to get into
02 the gang, that's almost what he said.
03 So, it's amazing that these people
04 are blind that we have all these problems, and he also
05 said that it's just a group of kids that call
06 themselves, and honestly, I forget what the three
07 letters were, but 30 to 60 kids that jump a state
08 trooper and have no respect for the law, what do you
09 call that? What do you call a group of kids that come
10 together and calm themselves three letters? I don't
11 call it a group, I call it a gang, and I think people
12 are calling it gangs.
13 You have a kid beaten in

14 Tripps Park a few weeks ago, we have an attempted rape
15 at Nay Aug Park last Thursday that you didn't read
16 about in the News Alliance, we had a gentleman lay in
17 front of Farley's in a ditch. Open your eyes. We have
18 a lot of problems.

19 I see that Mr. Pocius is not here
20 again. First I have to ask Council, I understand that
21 Mr. Pocius said that he's not coming here because
22 there's nothing on the agenda, well, I guess he doesn't
23 think that the people that come to this podium and ask
24 questions or give statements are of relevance, which in
25 my opinion is obvious that his seat will be vacated

0091

01 okay in December for that reason, but it galls me to
02 know that this man collects an illegal pension and sees
03 nothing wrong with collecting an illegal pension, when
04 he can't even show up for a meeting. I think that
05 takes a lot of nerve.

06 I have some vouchers here that I
07 received, and there's always a lot of talk about
08 Nay Aug Park and how wonderful it is, but we have to
09 charge kids to go swimming, and I just grabbed a
10 handful of them, but there's five of them here and
11 they're all for \$150, except for one of them is
12 \$165.20, which is considered peanuts to some people,
13 including the mayor, but it's to clean the tiles in the
14 zoo and the weekly cleaning of the Restoring The Pride
15 mats in the zoo.

16 So, it's obvious that the Mayor
17 can't let the kids go swimming because he says that we
18 need revenue, but you can pay somebody to come in and
19 clean tiles at Nay Aug Park, when we had people, of
20 course they were union positions and they had to get
21 rid of them to do the cleaning, but we have to pay
22 outside firms to come in and clean. It's a shame.

23 I just want to tell this story
24 real quick, and I'll sum it up in a minute, and I never
25 usually don't tell stories up here, because I don't

0092

01 think it's the place, but it has to do with city
02 business, this past week my wife and I were shopping at
03 a grocery store, and a woman came up to me in the
04 aisle, and to be honest with you, I will answer
05 anybody's questions about what I come and say at this
06 podium and I'll debate anybody at any time, any place,
07 but just have your facts right.

08 And there was conversation going
09 back and forth about how everybody that comes here,

10 it's so wrong that we're against the mayor and the
11 mayor is wonderful and blah, blah, blah, and all this
12 other garbage that she said, but what really, really,
13 really, really, really got to me was, she said she knew
14 where my wife worked, she thought she knew what I did
15 for a living, but she has no clue, and she said that
16 my -- if I continue to come to this podium, that my
17 wife better be careful at her job because she knows two
18 people that work there.

19 Well, let me tell you something,
20 intimidation doesn't go over very well with me. And
21 people can try all they want, but this is the type of
22 arrogance that goes on in this city, and I love -- I
23 call these people plants, you can call me out of order
24 that are planted here every week from the mayor, but
25 I'd like to ask these people the question, Do you think
0093

01 that's acceptable because I disagree with what the
02 mayor has to do that you have to intimidate somebody
03 that is close to me? Do you think that that's
04 acceptable? Because I don't.

05 And it just gives me fuel to the
06 fire to do everything in my power to make sure that
07 this vicious man and his followers never hold political
08 office in this town again. And I have to say to that
09 woman, wake up, because you're sleeping. Thank you.

10 MR. GERVASI: Good evening, ladies
11 and gentlemen. My name is Dave Gervasi, city resident
12 and a member of the Scranton Fire Department.

13 MR. DIBILEO: Good evening.

14 MR. GERVASI: Apparently it's
15 heating up a little bit here. One thing I would like
16 to state to Mrs. Williams and Mr. Keeler is that I
17 think it was great that they were here tonight. I may
18 disagree with a few of the things they said, but it's
19 great that they're here tonight, and I think they
20 should actually thank you, Mr. DiBileo, because when
21 Mr. Hazzouri and the rest of the last rubberstamp
22 Council was painting in this room for five months, I
23 believe, and when they went on the road, Channel 61,
24 the good people from Channel 61, went on the road to
25 try to get people filmed as they're speaking on live TV
0094

01 as it all unfolds. They cut people off from talking,
02 and they actually -- actually one night they actually
03 cut people off from speaking.

04 So, I think Mr. Keeler should be
05 very happy he had an opportunity to speak here tonight,

06 because if it wasn't for you, it wouldn't have
07 happened.
08 Mrs. Williams was talking about
09 economic development and all the union workers that
10 were working on some of the projects that the Mayor had
11 something to do with, what it seems Mrs. Williams fails
12 to mention, and don't get me wrong, I get along great
13 with Mrs. Williams, I -- we have no personal problems
14 whatsoever, we talk, but I think that it seems to be a
15 little bit of campaign rhetoric coming out of the
16 Doherty camp.

17 If you, like Mr. Doherty said,
18 connect the dots on Lackawanna Avenue, well, lets look
19 at some of the projects. There's actually a driveway
20 on the left-hand side of the Hilton where they were
21 supposed to drive cars right next to their and go up to
22 a parking garage, but I believe, correct me if I'm
23 wrong, I don't know for sure, but a few \$100,000 were
24 paid to rehabilitate that garage, and then they said it
25 was no good and they tore it down, and now the Hilton,
0095

01 I guess we're in for \$3 million that could have went to
02 many other economic development programs, are going
03 into the other -- we're talking about the other parking
04 lot now, that in fact the city could have gotten back
05 for free if they waited a few months, but the city paid
06 \$1.5 million for under Mayor Doherty.

07 But all these union workers that
08 are working, I mean, it's kind of funny because we were
09 at a meeting last night, and there was a union worker
10 there talking about all this economic development, how
11 all the union workers in the city are working, but the
12 fact remains that for the first two years of the
13 Doherty administration, and he had influence on a lot
14 of these projects, no union workers were working.
15 Actually there was one project,
16 the business incubator, that was supposed to be to
17 foster new businesses and get people to come to town
18 and start new businesses down there, when in fact an
19 out-of-town non-union with non-union out-of-town people
20 got the job, even though the union that represents
21 people that work in the city and then live in the city
22 weren't given the opportunity to even be a part of it.
23 And they had a picket line down there, because frankly
24 I walked the picket line with them. So, you know,
25 let's not go there. I don't want to go there any

0096

01 farther.

02 It was funny Mr. Keeler, he talked
03 about KOZs, I know a lot of people come up here and
04 knock KOZs, I really haven't knocked KOZs to a point,
05 the problem I have, and I'd like Mr. Keeler to come
06 back here next week and I'd like to ask him a question,
07 if I show him the mayor's campaign contribution list
08 and show him who got KOZs, I want to see if he thinks
09 that's okay. And I think everybody knows what I'm
10 talking about.

11 There's a lot of businesses that
12 may have wanted to come here that didn't donate money,
13 and there's a lot of businesses that were here that
14 could have gotten some help, people that stuck with us
15 throughout the years when the city wasn't doing really
16 well like ten years ago, and they weren't given the
17 opportunity, because we have a pay to play system in
18 this town. It's the way it is. The system is broke.
19 It's not Mayor Doherty's fault, it's not Gary DiBileo's
20 fault, it's not anybody's fault, it's the way the
21 system works.

22 If people give you money, that's
23 how you get elected and you have to give the money
24 back, but we have to break this chain.

25 They've been talking about it in
0097

01 Philadelphia with KOZs, they've been talking about it
02 elsewhere about KOZs, and until we break this chain of
03 pay to play, we are going to continue, and only my
04 opinion, to get fleeced with our tax dollars.

05 The other point I'd like to try to
06 make, speaking of pay to play, is my favorite whipping
07 person, the Scranton Times Tribune?

08 When everyone else throughout the
09 state is talking about pay to play, you never see --
10 you never, ever see the Scranton Times talk about the
11 pay to play system here in our area.

12 But it seems now that the
13 Philadelphia Inquirer and The Wilkes-Barre Times Leader
14 has done articles talking about how the newspaper pays
15 to play in a way. It says that they gave money to
16 certain candidates, and it seems that you will never
17 hear anything bad about the newspaper to where the
18 publishers give the money to.

19 So, I mean, they're laughing at us
20 I think in Philadelphia and in Wilkes-Barre, and it's
21 just kind of the way it is around here.

22 You know, if the newspaper
23 publishers like you -- remember years ago, since I was

24 a kid, all I heard about when somebody took office is,
25 well, the Mayor always gets a honeymoon, you get three
0098

01 months, five months, six months, a year, depending on
02 whatever.
03 Well, this mayor has been on a
04 honeymoon for three and a half years. And there's
05 actually a consorted effort right now that I've been
06 hearing from numerous people that we have a problem in
07 this town, actually our state senator said at a meeting
08 two weeks ago that we have a major problem in this
09 town, with all the problems we have, with all the
10 townships and boroughs in this district that are having
11 money problems, financial problems, crime problems, all
12 these major problems, I guess apparently he thinks the
13 big problem in this town is Channel 61, because the
14 newspaper, obviously to me and obviously to probably
15 everyone I know knows that there's certain sacred cows
16 that don't get any bad publicity, and the people that
17 they like get all the good publicity.

18 And there's a problem, because
19 this is an open forum, your government is here, people
20 come here to speak and talk about their concerns in
21 front of live TV as you see it unfold completely
22 unsensored, and apparently some people have a problem
23 with that.

24 Well, I'll tell you what, know
25 what everybody tells me? My God, I heard what you said
0099

01 last night, My God, I heard what Charlie Newcomb said
02 last night, My God, I heard what Mr. McAndrew said
03 live, is all that true?

04 I said, Well, I can't speak for
05 them, but I can speak for what I say. What I say is
06 either my opinion or it's documented factual evidence,
07 not evidence, I don't want to go there, factual
08 documentation.

09 And when I speak, you can take it
10 to the bank, because I haven't lied and I will not lie
11 on live TV because I represent 150 families.
12 So, when you see the baloney in
13 the newspaper and you see the baloney, what certain
14 politicians are saying how they want to close down
15 these cameras and close down this place, the newspaper
16 is even putting cartoons up saying that this is a
17 nuisance place.

18 This is the people's room. And
19 I'll tell you what, for the first time in a long time

20 since this Council sat here, and everybody's going to
21 say, Oh, well, you're friendly with them. No, I'm not
22 friendly with them, they're not my personal friends, I
23 never knew these people, but these people gave the
24 workers a little bit of respect, at least listen to
25 what we had to say, unlike what has been happening for
0100

01 the last three and a half years.
02 And if it wasn't for you three up
03 there right now, and I've got to say Mr. McTiernan, I
04 can't knock Mr. McTiernan, but if it wasn't for this
05 brand new Council right now, the people wouldn't have a
06 clue what's going on behind the scenes with all these
07 projects that are going on and not know all the facts
08 that are going on.
09 This is democracy, this is open
10 government, and I thank this Council, this latest
11 Council, for letting the people know what's really
12 going on, because no one else is doing it. Thank you
13 very much.

14 MR. DIBILEO: You're welcome.

15 MS. STULGIS: I'm Ann Marie
16 Stulgis, city accident, and tonight I shall stress it,
17 president of the city's police union.
18 I have to go off what I had
19 originally planned to speak about tonight because of
20 several comments made here earlier.
21 Let me assure you that if Scranton
22 police officers were laid off, I should and would be
23 the first one to know, and I was when they were laid
24 off.

25 Police officers in Scranton were
0101

01 in fact laid off, not one, not two, but several. They
02 are still laid off. None of them are now working for
03 the city.
04 So, nobody can stand here and say
05 they weren't laid off. One of them, the last I saw,
06 was working in a pizza place down on Taylor Hill. One
07 is working for Dunmore, another for Old Forge, another
08 up in the Clarks Summit area.
09 They were laid off. In fact, just
10 this afternoon I spoke with the secretary of the
11 pension board, because several of them have applied to
12 get the money back that they paid into the police
13 pension because, and I stress, they were laid off.
14 So, what you heard here earlier is nothing but campaign
15 rhetoric, and it is not a fact.

16 Now, to say that the cops grants,
17 not one of the 29 were laid off, that's a fact, not one
18 of the 29 have lost their jobs. They all got to move
19 into positions because of the mass exodus, thanks to
20 the current administration, jobs opened up and they all
21 got moved into regular positions. That's why.
22 To say there's no intention of
23 cutting the police force, we've been cut. Take a look
24 at the streets. That's why the streets are as they
25 are, because we don't have the police force that we had
0102
01 four years ago.
02 So, don't say police were not laid
03 off, they most certainly were. And, no, to prevent any
04 questions next week, no, I will not say their names,
05 because that is a personnel situation, and I'm sure
06 Mr. McTiernan knows that you do not mention personnel
07 matters at public forums and you don't mention names.
08 I also brought with me a copy of
09 the city's Home Rule Charter. It has to be accurate,
10 because I downloaded it from the city's webpage.
11 Under Article 4 regarding the
12 operation and procedures of City Council, Section 401
13 concerns meetings. The Council shall meet once a week
14 in regular sessions in regular Council chambers. It
15 shall meet at such times and places as the Council may
16 prescribe by rule. It doesn't say except August. It
17 says the Council shall meet every week. That should
18 end that.
19 Also, as many of you know several
20 residents have attempted to get invoices, bills, etc.,
21 and we've all been rebuffed. I know I, myself,
22 I know Mr. Bolus, I know the Newcombs, many of us have
23 attempted to get bills under Freedom of Information or
24 The Right To Know, and our pleas have gone unanswered.
25 I would just like to read now
0103
01 under Section 3, Section 312 of Article 3, under
02 Investigations, The Council may make investigations
03 into the affairs of the city and the conduct of any
04 department, office or agency in aid of its legislative
05 powers and functions and may issue subpoenas for these
06 purposes, just in case any of the folks don't think
07 that you have that right.
08 Also I have a little question
09 here, I have a bill here from NCC, it's a copy of a
10 bill that went to the Redevelopment Authority. It's
11 concerning a property out off of New York Street out

12 near Penn Avenue, and it's for a property. The
13 dimensions of the property are 16-feet-by-71-feet, so I
14 don't believe it meets the criteria to have a residence
15 on it, however, it's an attempt to collect a garbage
16 fee.

17 Now, I have a problem with this,
18 because NCC gets 25 percent, so NCC is attempting to
19 collect a garbage fee from a branch of the city
20 government and they're getting 25 percent to collect
21 the money for another branch of the city government.
22 That doesn't make sense to me, and copies were prepared
23 for each of you, just so that you know.

24 Now I'd like to share with you
25 just a few bills. Unfortunately I had a lot of them,
0104

01 but I won't have time, because I had to straighten that
02 police situation out once and for all.
03 These bills do not cover a year's
04 time, they're only for a few months, but they concern
05 Nay Aug Park, and I thought they were interesting.
06 A deductible for an accident on
07 the slide, \$180.50; deductible for an accident on the
08 slide, \$391; deductible for an accident on the slide,
09 \$514.80; training, this was paid to the pool manager to
10 train the lifeguards, \$1050; this was for architects
11 for the Nay Aug pool building, \$9007; concrete block
12 for Nay Aug, \$969; electrical work done, this doesn't
13 count the \$19,000 and some that was paid to Mellow,
14 this is a separate bill to somebody else, \$5,222;
15 design and construction of an octagonal-shaped pavilion
16 for the carousal at Nay Aug Park, \$8353.

17 Now, I believe the carousal
18 belongs to a private entity, and we paid over
19 \$8,000 for a little dome to cover it up, but the train,
20 if I'm not mistaken, belongs to the taxpayers, which
21 cost us \$60,000, and that's sitting out in all weather
22 getting rusty.
23 So, I guess we care more about
24 campaign contributors' property than we care about the
25 taxpayers. I have a lot more bills for next week.

0105

01 MR. DIBILEO: Thank you.

02 MS. KRAKE: Good evening, Council.

03 My name is Nancy Krake. And Fred, Mr. B, asked me to
04 give you the signed petitions for the benches.

05 MR. DIBILEO: Sure. Absolutely.

06 Okay.

07 MS. KRAKE: That was a bright

08 spot, but earlier it wasn't so bright. This is the
09 first time I've ever had to apologize.
10 I guess it was pretty loud in the
11 hallway, so I do apologize if it was disturbing the
12 Council meeting. I didn't mean to be loud, but people
13 came after me aggressively, and I thought they were my
14 friends, so I think I got pretty loud in the hall, and
15 I know they were loud, so I am apologizing.
16 It was curious, because that's
17 kind of what I was going to speak about tonight, how
18 there has become such a huge division among the
19 citizens of Scranton, and it was the one speaker that
20 brought up something that I said at a meeting, and to
21 me, I was making a statement of fact. He interpreted
22 it as a personal attack to one of the administration.
23 I am sorry that that's the way he interpreted it, but
24 it was not meant that way.
25 He also made a few other
0106
01 statements about how the real estate transfer tax has
02 risen. Well, I'm sure everyone knows there's a couple
03 reasons for that, and not the one he was just alluding
04 to. People are leaving in droves and they are selling
05 their homes. I think that is the fact.
06 I'm going to continue with the
07 rest of my speech, if that's okay. I was going to
08 speak tonight about the Scranton Times, and I am hoping
09 that they'll hear things that Ms. Stulgis said here
10 tonight, I am hoping they'll be writing about those in
11 the newspaper, especially those things at Nay Aug Park
12 that we never get to hear about.
13 The Scranton Times has created a
14 huge division among the citizens of Scranton. They did
15 this by not reporting events truthfully. It's not my
16 fault, even though those people are interpreting it
17 that way.
18 In fact, I can see they're angry
19 that my point of view is getting out. I don't find
20 that fair, but they're entitled to their feelings.
21 Their views on life in this town
22 have disenfranchised the real citizens of Scranton.
23 The newspaper reports only the Mayor and his
24 administration's spin, which we pay for, by the way,
25 through a consultant, especially their spin on crime,
0107
01 economics and conditions in the neighborhoods.
02 People are not questioning that
03 the reality they know is the truth, but rather they are

04 questioning the credibility of the Scranton Times and
05 this administration.
06 This partnership that is the mayor
07 and the Scranton Times appears to believe that if they
08 don't report problems in the city, no one will see that
09 they exist.
10 Three and a half years ago, this
11 Mayor began his term in collusion with the then seated
12 City Council. This union of elected officials cost the
13 taxpayers millions and millions of dollars.
14 They approved over \$3 million in
15 pay raises and jobs for administrators, they hired many
16 high-priced consultants and granted no bid contracts,
17 just to give a few examples.
18 They're still unearthing them,
19 this Council is still unearthing them. They just
20 couldn't spend their money fast enough.
21 The current Council majority
22 helped to put a stop to this spend and borrowing spree
23 that was running unchecked.
24 With the upcoming 2006 budget
25 process beginning, Council, I hope you're considering
0108
01 some ways to keep the mayor's hands off our tax
02 dollars.
03 Speaking of money, the
04 Scranton Times donated much money to the political
05 campaign of this Mayor, and coincidentally, they
06 endorsed him.
07 I think Joanne Williams mentioned
08 some triumvirate there of three parties where she got
09 her information from, the administration, the mayor and
10 the Chamber of Commerce. That's interesting.
11 Now there are ads appearing in the
12 Scranton Times that are masquerading as advertisements
13 for the city. In fact, these ads are on billboards and
14 banners throughout Scranton.
15 They feature the mayor's picture
16 and his Restoring The Pride campaign slogan, which in
17 fact I got reprimanded for questioning the first day
18 this administration was in office.
19 We could say the money for these
20 ads traveled in a big circle, from the newspaper to the
21 Mayor and back to the newspaper.
22 Unfortunately, however, these are
23 tax monies that didn't make it back to us in the form
24 of public safety or basic services we desperately need
25 or even lower taxes.

0109

01 I say it's our money, because who
02 knew you could use federal funds for campaign ads? I
03 just have two more sentences.
04 MR. DIBILEO: Go ahead.
05 MS. KRAKE: Thank you.
06 MR. SAUNDERS: That was the
07 four-minute bell. I apologize.
08 MS. KRAKE: Okay. That's good.
09 We didn't know we could use these federal funds for
10 campaign ads.
11 The Office of Economic and
12 Community Development is helping to finance political
13 ads in a newspaper that contributed to the very same
14 political campaign, the mayor's.
15 We desperately need a real
16 newspaper, one for all the people presenting all points
17 of view equally. We also need a real Mayor, a Mayor
18 that would unite us to move forward together. Thank
19 you.

20 MR. DIBILEO: Thank you,
21 Mrs. Krake. If there's no further speakers.

22 MR. WALSH: 5-A, motions.

23 DIBILEO: Mr. McTiernan, do you
24 have any motions or comments tonight?

25 MR. McTIERNAN: Just two comments,
0110

01 Mr. President. Thank you. First of all, on a serious
02 note, there is a ceremony going to be held at
03 Scranton High School on Saturday, August 20, and I
04 believe it is at eleven o'clock, and that is honoring
05 Pennsylvania Army National Guard servicemen, so I would
06 encourage folks to attend that service.

07 And on a lighter note, I want to
08 recognize our city clerk's 40th birthday,
09 Mr. Saunders. He is older than I am, so I do want to
10 wish him a Happy Birthday. Thank you. That's all.

11 MS. EVANS: Happy Birthday.

12 MR. SAUNDERS: I appreciate that,
13 Mr. McTiernan.

14 MS. EVANS: Should we sing?

15 MR. SAUNDERS: No, don't sing.

16 MR. DIBILEO: Thank you, Mr.
17 McTiernan. And I'm sure Jay appreciates that comment.

18 Mrs. Evans, any motions or comments?

19 MS. EVANS: Yes. Earlier this
20 week I attended both Pine Brook and East Mountain
21 neighborhood meetings. Let's begin with Pine Brook.

22 The officers are working hard to develop a community
23 justice program, a newsletter, and a neighborhood
24 picnic to be conducted on Saturday, August 27 on the
25 street. EJ the DJ will perform from one to three.

0111

01 But Pine Brook also has its
02 problems. They need street lights; they need the
03 clearing of overgrown sidewalks and properties; they
04 need the end of sidewalk parking by vehicles; they need
05 a tree and shrub trimming and garbage removed from the
06 Pine Brook Park. Specific addresses and problems are
07 contained in my request list tonight that was already
08 given to Kay.

09 Over in East Mountain, residents
10 also voice their problems. Robinson Park's buildings
11 have been vandalized and defaced by graffiti. Drinking
12 parties occur not only in the woods behind the park,
13 but at Mountain Lake, as well.

14 A few years ago, the residents
15 told me, East Mountain had a police officer who
16 patrolled wooded areas on a dirt bike, and one summer
17 the drinking, speeding and vandalism that occurred
18 nightly was largely under control. Since the loss of
19 that dirt bike and police officers, the problems
20 returned to the neighborhood.

21 Now, I don't know why this was
22 done, and why for at least the last two summers the
23 dirt bike was pulled.

24 Residents also have terrible
25 problems with catch basins that are clogged with dirt,
0112

01 weeds and debris. As a result, water is gushing down
02 their street and flooding their properties.

03 Residents stated that s they have
04 contacted the DPW, the mayor's office and have never
05 received a response.

06 Two years they've been making the
07 attempt and have never received a response. They were
08 treated poorly, in fact, by one particular city
09 employee. They are in no position to dig out their own
10 basins, and they shouldn't have to. That's why they
11 pay taxes.

12 And they are so frustrated at this
13 point, that they stated if their catch basins were not
14 cleared within the next few weeks, they intended to
15 take the closest Pride sign and place it right in the
16 middle of that catch basin, because they want all to
17 see what the administration considers to be pride in

18 East Mountain. Another resident stated, and I'm
19 quoting here, Want to see Pride, go to Nay Aug Park.
20 These catch basins must be a
21 priority. And, folks, from attending neighborhood
22 meetings for two years, I've learned that neighborhoods
23 are the foundation of our city.
24 Scranton is blessed with wonderful
25 neighborhoods and great resilient people who need our
0113
01 attention. That's why we're going to fight to keep our
02 streets safe and keep our streets lighted and clean for
03 all the families of our city.
04 Now, last week a speaker mentioned
05 floral arrangements for funerals being paid through
06 city funds. I have copies tonight, in fact, with me,
07 and they provide the proof.
08 So, I thought, Perhaps this might
09 be an established policy of the city, so I contacted a
10 former mayor and I asked if he had charged funeral
11 arrangements to the city budget, and, therefore, the
12 city taxpayers, and he adamantly responded, Absolutely
13 no. No flowers were ever billed to the taxpayers
14 during my 12 years as a Mayor.
15 Consequently, I don't believe it's
16 fair, and I don't believe it's right to order funeral
17 arrangements for your political friends and then charge
18 them to the taxpayers.
19 Have any of you received flowers
20 from the City of Scranton when you've lost a loved
21 one? I didn't think so, and neither have I, but that's
22 not important.
23 I just think that if some people
24 are good enough to receive the flowers under very, very
25 sad circumstances, such as the death in a family, I
0114
01 think you are all entitled to receive flowers, if that
02 in fact is what the Mayor wishes to do.
03 Now, each week I submit a list of
04 your problems and complaints to department heads. I
05 thank all of you concerned residents, and I thank Kay
06 and Neil and Jay, the birthday boy, because the good
07 news is my lists are decreasing.
08 People call and write to say that
09 their problems have been solved. So, it just proves
10 that good communication can result in action, and an
11 election year certainly makes the process faster and
12 easier.
13 So, to each of you who have

14 contacted me, thank you for trusting me to deliver your
15 message, and thank you for trusting me to help you
16 solve your problems.

17 And I have two requests in
18 particular tonight that are, I think, in need of
19 immediate attention, a letter to Mr. Scopelliti,
20 please, I observed lights in operation inside the
21 closed concession stand beside the pool and five fans
22 in operation during nighttime hours, why is this
23 occurring?

24 Also, extension cords are wound
25 around tree limbs and Christmas lights remain on
0115

01 several trees, why? What is the purpose of black tape
02 on select electrical boxes which appear to cover
03 wires?

04 Also, visitors to the Nay Aug
05 Wildlife Center have reported the absence of several
06 animals. Where are the animals and why were they
07 removed?

08 Also, I'd like to send a letter to
09 Chief Davis, I'd like a fire truck sent to hose down
10 the sidewalk by the University of Scranton athletic
11 field at the Spruce Street bridge area.

12 There is one inch of pigeon
13 droppings covering the walkway underneath the train
14 bridge, and South Side residents walking to work and
15 school should not be forced to travel through such
16 filth.

17 And perhaps they might prefer to
18 have the state handle it, but very little time remains
19 until the school sessions begin, so I think it's far
20 easier just to have one of our fire trucks go and hose
21 down that area.

22 I have an announcement like
23 Mr. McTiernan, On Saturday, August 20, the second
24 annual moonlight walk/run will be held at Nay Aug Park.
25 The walk at 7 p.m. and the run at 8 p.m.

0116
01 The money raised will benefit the
02 Children's Advocacy Center who provide services to
03 child victims of sexual and physical abuse and neglect
04 in six counties in Northeastern Pennsylvania.

05 So, please, come out and walk or
06 run to support this extremely worthy cause. The
07 winners or losers are going to be the children, and
08 nobody wants them to lose.

09 Now, one last thing, the people of

10 Scranton appeared to have lost \$3 million on the loan
11 to the Hilton Hotel and Conference center.
12 Critical circumstances require
13 critical action, therefore, in accordance with
14 Section 312 of the Home Rule Charter, I am asking this
15 Council to issue a subpoena duces tecum for all files,
16 agreements, memos and correspondences of financial
17 transactions, including but not limited to all
18 payments, whether made or received by check, wire,
19 electronic transfer or by any other means regarding the
20 Hilton Hotel and Conference Center from
21 January 1, 1998, through the present.

22 Such subpoena is to be served on
23 Sara Hailstone to appear before City Council, the
24 records of the Office of Economic and Community
25 Development, and the Scranton Parking Authority.

0117

01 The reasons for such subpoena are
02 as follows: First, questionable circumstances
03 surrounding the parking garages, the funding and
04 approval for the renovation of The Medallion was in
05 place in the year 2001, Scartelli Construction was paid
06 over a quarter of a million for renovations which were
07 never fully provided, Ms. Hailstone approved final
08 payment after a walk through that structure, and why
09 was the Casey Garage delayed until the anticipated
10 October pre-election opening?

11 Secondly, and even more important,
12 contradictory statements made by the mayor and
13 Ms. Hailstone.

14 The mayor has stated, according to
15 the Scranton Times, that \$241,000, or one payment, was
16 made to HUD from CDBG funds.

17 Ms. Hailstone in a letter of
18 July 26, 2005, on the other hand, seems to contradict
19 that statement, and I would like to quote from her
20 letter, the borrower, Scranton Hotel, LP, made its
21 first seven bi-annual payments to the city due 8/1 and
22 2/1 of each year in accordance with the terms of our
23 loan agreement with them. It has since missed four
24 consecutive bi-annual payments.

25 During that time, the city has

0118

01 made all eleven bi-annual payments to HUD in accordance
02 with the terms of our loan agreement with HUD.

03 In the last two years when we have
04 not received payments from Scranton Hotel, LP, the city
05 has used residual cash from previous Section 108 loans

06 to cover its related obligations to HUD, which totaled
07 \$659,326.
08 We have not used CDBG funds to
09 cover our obligation to HUD that relates to the
10 Section 108 loan we made to Scranton, LP. Which story
11 is accurate?
12 Were CDBG funds used or was
13 residual cash used? Was one payment made or were four
14 payments made?
15 I believe that this Council and
16 the people of the City of Scranton deserve an answer to
17 those questions.
18 Now, third, A parking garage
19 appears to be in financial jeopardy. Loss of revenue
20 may occur, which would impact the Parking Authority's
21 ability to meet its financial responsibility.
22 And, fourth, The Mayor in fact
23 admitted liability by making payments to HUD. He is
24 resigned to a loss of \$3 million; I, however, am not.
25 Council remained in August in
0119
01 order to work toward a solution that will satisfy both
02 the city and Spectrum. Council must obtain essential
03 financial information to better understand the
04 chronology of events.
05 Recent history proves that
06 information often fails to be provided by this
07 administration or is provided in a most sluggish
08 manner.
09 Complete information is necessary
10 to develop a solution to this possible tragedy. I'm
11 seeking to avoid an eleventh hour decision on
12 September 27.
13 Council needs information to allow
14 us in a prioritized manner to preserve the city's
15 \$3 million, preserve the Hilton Hotel, and develop an
16 anti-competitive status between the Hilton and the
17 Radisson under terms of a new inter-creditor
18 agreement.
19 I wish to exercise prudence,
20 professionalism, competency and cooperation in putting
21 together a deal that is satisfactory to all parties and
22 in the best interest of the taxpayers of our city, and
23 of the county of Lackawanna.
24 Therefore, I move that Scranton
25 City Council issue a subpoena duces tecum to the
0120
01 Scranton Parking Authority, to the Office of

02 Economic and Community Development, for all financial
03 records pertaining to the Hilton Hotel and Conference
04 Center and the appearance of Ms. Hailstone.
05 MR. COURTRIGHT: I'll second it.
06 MR. DIBILEO: Okay. We have a
07 motion on the floor and a second. On the question?
08 MR. COURTRIGHT: On the question,
09 Mr. President, I think everyone knows in the past I
10 have not been in favor of subpoenas, but Mrs. Evans
11 states some very good reasons, but my main reason for
12 it is this, is that I think we are in a crisis
13 situation, and that's the reason why I was willing to
14 come here in August, when we were supposed to be off,
15 whether the Home Rule Charter says we could or can't,
16 but I think we haven't received information as quickly
17 as we needed in the past, and I think it's very
18 important that we do now, and for those reasons, I will
19 be in favor of that motion.
20 MS. EVANS: Thank you.
21 MR. COURTRIGHT: Mr. Walsh.
22 MR. WALSH: Would you like me to
23 speak on that, Mr. Courtright?
24 MR. McTIERNAN: Who is yelling
25 from out there that we can't ask the solicitor for
0121
01 advice?
02 MR. COURTRIGHT: I didn't hear
03 anything.
04 MR. DIBILEO: We have to have all
05 comments stopped in the audience, please. I have a
06 comment on the question. We took the time from our
07 normal vacation time in August to work with the
08 administration on solutions to the Hilton Hotel and
09 Conference Center foreclosure.
10 I'd much rather be taking time off
11 possibly to spend with my family, and some might want
12 you to believe otherwise, but don't believe it.
13 I always resist at the idea of
14 using subpoenas to get information, however, this is a
15 very serious matter, and to be honest, I've lost faith
16 in the administration providing us with the information
17 that we need.
18 I don't want to be put in a
19 position on September 26, the day before the
20 foreclosure date, at which time we would lose those
21 funds and be told that we must vote on a Hilton deal
22 that I don't agree with.
23 Clearly I think that this is what

24 the writers of the Home Rule Charter envisioned when
25 they gave City Council subpoena powers.

0122

01 And unfortunately we have an
02 administration who doesn't want to share information
03 with City Council, and because of that, I'll be voting
04 in favor of this motion.

05 MS. EVANS: And just to clarify a
06 bit more, we are merely trying to obtain all of the
07 necessary information in order to formulate a solution
08 to this problem that satisfies, as I stated earlier,
09 all parties involved, the city, Spectrum, the county,
10 and the school district.

11 This is in no way casting
12 aspersions toward any individual or the
13 administration. It's simply working against a time
14 clock and knowing that the minutes are ticking away, we
15 need the information, we need the complete information
16 this time.

17 And with the aid of those facts,
18 we're going to hopefully be able to formulate that
19 solution that's going to benefit everyone.

20 MR. McTIERNAN: Mr. President, may
21 I just comment, please?

22 MR. DIBILEO: Sure, Mr. McTiernan.

23 MR. McTIERNAN: Due to my absence
24 for some of the situations that were out of my control,
25 I would like to have some of this information, it would
0123

01 be very helpful for me to assist in this process, my
02 only question would be for Solicitor Walsh, I guess
03 just to make it very simple, can we under these
04 circumstances do this, in your opinion? That's my only
05 question. Thank you.

06 MR. WALSH: My thoughts with
07 respect to the subpoena duces tecum is that we should
08 not enter it at this time, we should simply request the
09 documentation.

10 Initially a subpoena is a
11 document, a legal document, which compels somebody to
12 come to a forum or a proceeding.

13 A subpoena duces tecum is a legal
14 document which compels somebody to come in, bring
15 documents with them.

16 Generally speaking, a subpoena
17 and/or a subpoena duces tecum is only issued if there's
18 some sort of a proceeding, some sort of an
19 investigation, so it's issued tantamount to the

20 proceeding or the investigation.

21 Here I don't believe we have

22 either a proceeding or an investigation, so it might

23 not be proper to issue a subpoena at this time.

24 Secondly, the issuance of the

25 subpoena, I think we have the right to do that if we do

0124

01 it properly, but the issuance of the subpoena isn't

02 really what is the most important thing, it's the

03 ability to enforce that subpoena.

04 And if indeed we issued it without

05 really requesting it first, perhaps we might have some

06 problems enforcing it.

07 My suggestion would be that we

08 initially simply request the documentation from these

09 entities. If indeed the entities don't give the

10 documentation, then perhaps we take the next step, but

11 that would be my advice at this time. Is that what

12 you're requesting, Mr. McTiernan?

13 MR. McTIERNAN: Yes. I was

14 looking for your opinion. Thank you.

15 MS. EVANS: I just want to add one

16 thing, and I have great respect for our solicitor's

17 opinions, that is why he was hired, however, the

18 Home Rule Charter make no provisions for written

19 correspondences to occur prior to the issuance of a

20 subpoena.

21 I believe this is warranted due to

22 the reasons I mentioned, particularly the

23 contradictions and information that is being given to

24 this Council and the people of the City of Scranton.

25 I believe the investigation is

0125

01 warranted, time is of the essence, I don't believe we

02 can afford to play letter tag, and I believe if we

03 stand before a judge and a judge is presented by our

04 Council with a history of difficulties involving

05 communication between the parties and the evidence

06 proving the contradictory reports that have been

07 issued, I would think that a judge would listen to

08 that, I also believe that the administration would

09 certainly, if they have nothing to hide, would be so

10 foolhardy to even challenge the subpoena.

11 MR. WALSH: If it were placed on

12 the agenda, I'm sorry, if there was a request made this

13 week and then it was placed on the agenda, then there

14 could be more public comment on it next week, and then

15 the motion made at that time, if indeed all of the

16 procedures are followed, but there are certain
17 procedures, I think, that have to be followed for the
18 issuance of a subpoena.
19 Again, although the Home Rule
20 Charter gives us the ability to issue the subpoena, I
21 think it's the written judicial case law which tells us
22 how we go about issuing that subpoena or how we enforce
23 that subpoena or how we require the individuals served
24 with that subpoena to deliver the documents to this
25 forum. That's reason for my recommendation.

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01 And also, you know, if you place
02 it on the agenda next week, you'd have room for public
03 comment.

04 MS. EVANS: The only other thing I
05 might add, though, is that in addition to
06 Attorney Walsh, I have spoken with three other
07 attorneys who are specialists in municipal law and
08 taxation and contract law, and it is their opinion that
09 City Council can indeed issue a subpoena, and, so, I am
10 not going to withdraw the motion.

11 MR. COURTRIGHT: Mr. Walsh, I'd
12 like to ask a question, I am going to -- I would never
13 doubt your opinion, ever, but I am going to vote in
14 favor for Mrs. Evans' subpoena, but my question, if I
15 may, my question is this, after we vote on
16 Mrs. Evans' motion for subpoena, and assuming it
17 possibly passes, when it comes my turn to make a
18 motion, would I be able to make a motion that we ask in
19 writing for the information that Mrs. Evans' subpoenaed
20 in the event that the subpoena doesn't hold up, we
21 would have it in writing? Is that too complicated
22 or -- I just don't want to not get the information. Is
23 that possible for me to do that after we vote on hers,
24 and then I would also make, when my turn comes to
25 speak, I would make a motion in writing to ask for the
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01 same information without subpoenaing it?

02 MR. WALSH: You could simply ask
03 the clerk to ask.

04 MR. COURTRIGHT: Okay. I don't
05 need to make a motion then.

06 MR. WALSH: No. I think you can
07 ask the clerk to see whether or not the information is
08 available. I think all that information is going to be
09 or should be shared because of the ongoing proceedings.

10 MR. COURTRIGHT: Right. I just
11 want to make sure we get it. I'm still voting in favor

12 of Mrs. Evans' subpoena, but I just want to make sure
13 that if that doesn't hold up, that we get the
14 information.

15 MS. EVANS: And indeed, I'm sure
16 much of the information is going to be willingly
17 shared, but I also believe that there will be
18 information withheld, as there has been throughout the
19 past nearly two years, and it's imperative in such a
20 critical situation that we have access to all the
21 records in order to make an informed and sagacious
22 decision.

23 MR. WALSH: And, again, if that's
24 the decision of the Council, I respect that. I would
25 suggest, though, doing it next week and putting it
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01 actually on your agenda so people could speak about it.
02 I don't think you'd really waste
03 that much time, and I think it would be better to do it
04 in that way, you know, in terms of our requirements for
05 allowing public comment and those type of things.

06 MS. EVANS: A comment on a motion?

07 MR. WALSH: You know my opinion on
08 those. Yes.

09 MR. DIBILEO: I'll make one final
10 comment, and then I'm going to call for a vote, quite
11 frankly the administration has a bad track record of
12 providing all the information that they should be, and
13 while most of this information, if not all of it, is
14 going to come voluntarily, I don't think because of the
15 time factor involved that we can take our chances.

16 So, if there's no further
17 questions, I'll call for a vote. All those in favor,
18 signify by saying aye.

19 MS. EVANS: Aye.

20 MR. COURTRIGHT: Aye.

21 MR. DIBILEO: Aye. Opposed?

22 MR. McTIERNAN: No.

23 MR. DIBILEO: By a 3 to 1 vote,
24 motion passes. I would also suggest that City Council
25 hires a special Council to work with our so also you
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01 for the on these matters regarding the Hilton Hotel and
02 Conference Center.

03 I am going to recommend to my
04 colleagues tonight an attorney with two years' of
05 experience, or not two, excuse me, 12 years of
06 experience and knowledge gained as the city's former
07 solicitor on special projects, specifically the

08 Steamtown Mall and the Hilton Hotel.

09 His prior involvement allows him

10 to hit the ground running in this situation and to play

11 an integral part in the development of a new

12 agreement. He will be paid from Council's budge.

13 And, therefore, I move that

14 Scranton City Council hire Attorney Boyd Hughes as

15 special counsel to assist our solicitor on the matter

16 of the Hilton Hotel and Conference Center.

17 MR. DIBILEO: Motion on the floor.

18 MR. COURTRIGHT: I'll second it.

19 I'm sorry.

20 MR. DIBILEO: We have a motion on

21 the floor and a second. On the question?

22 All those in favor --

23 MR. COURTRIGHT: On the question.

24 MR. DIBILEO: Okay. Go ahead.

25 MR. COURTRIGHT: Mr. DiBileo, just

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01 briefly, just due to the fact that Mr. Hughes, and I

02 don't know him personally, I never met the guy, but

03 I've been told by many people that he has vast

04 knowledge of this, and I think he could be of some

05 assistance to Mr. Walsh, so that's why I will be voting

06 in the affirmative.

07 MR. DIBILEO: Okay.

08 MS. EVANS: I'm sorry. I --

09 MR. DIBILEO: If there's no further

10 questions --

11 MS. EVANS: Actually, yes. I

12 would also like to just comment on a discussion that

13 Mr. McTiernan and I just had, and he is correct in

14 saying that this information should be given to you.

15 With regard to Council's budget,

16 our Council clerk has been investigating the amount of

17 funds that would be available in Council's budget, as

18 well as other ways of funding a special counsel.

19 He will make sure that all

20 salaries are provided for in our office through year

21 end, as well as overtime costs and advertising costs.

22 So, nothing will be negatively

23 affected that needs to regularly occur, it will all be

24 provided for.

25 MR. DIBILEO: Okay. If there's

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01 no further questions, all those in favor, signify by

02 saying aye.

03 MR. McTIERNAN: Aye.

04 MS. EVANS: Aye.
05 MR. COURTRIGHT: Aye.
06 MR. DIBILEO: Aye. Opposed? By a
07 4-0 vote, motion passes.
08 MS. EVANS: And that's all I have.
09 MR. DIBILEO: Thank you,
10 Mrs. Evans. Mr. Courtright, any motions or comments?
11 MR. COURTRIGHT: Yeah.
12 Melissa Fresetti's an officer that has been assigned to
13 the West Scranton area, and I've gotten several
14 comments on her, what a good job she's doing, so we'd
15 just like to thank her for the job she's doing.
16 Evidently there has been something
17 on TV today about the gang fight or whatever you want
18 to call it at the Lackawanna Little League, I haven't
19 seen a TV today, but I saw it firsthand last night.
20 I was on my way home, and I pulled
21 up upon several police cars and a state trooper
22 bleeding from the side of his face, children crying,
23 Scranton Police cars running on railroad tracks chasing
24 somebody, Scranton Police officers going under a
25 bridge, residents just not knowing what to say.
0132
01 And I kept hearing over and over
02 again, This city is out of control, this city is out of
03 control, that's what they were saying when I was there.
04 And I stood there for quite a while.
05 And I think some people might have
06 their head in the sand. I think we've got to realize
07 the fact that we do have gangs in this town.
08 And some people say they're not
09 organized, Well, I don't know. They're wearing colors.
10 When they're wearing colors, I think that means they're
11 organized.
12 And for those that say they don't,
13 I'd like for you to go back up into the Saint Ann's
14 area and speak to some people up there. It was brought
15 to my attention actually by a friend of Mr. McTiernan's
16 where his daughter was afraid and her family because of
17 the graffiti and things happening with a gang in that
18 area.
19 There's a priest from St. Ann's
20 Basilica that has told my son if he would talk to me
21 about drugs being sold and damage being done in there,
22 which he believes by gangs.
23 The people that walk, I see every
24 day, that walk up and down Main Avenue, and in the
25 summer months they're out for a walk, they're afraid,

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01 and most certainly I would like for you to tell those
02 people last night at the Lackawanna Little League that
03 there's no gangs. I think they would tell you
04 differently.
05 I know in the past, you know, they
06 said, you know, speculation and we're getting people
07 all upset and we're getting people all excited, well,
08 you know what, after last night, I couldn't be silent
09 any longer. I think something needs to be done.
10 You know, I think what the police
11 chief needs to do is go in and tell our mayor, Listen,
12 I can't adequately protect the citizens of this city
13 without some more manpower. We need some more police
14 officers.
15 Now, I'm sure in the paper after I
16 said this we're going to hear or see, I should say,
17 statistics from this and from that, well, you know, the
18 people I spoke to in West Scranton last night, today,
19 they don't want to hear any more about statistics,
20 they're fed up, you know, as I believe some of the
21 people in South Side are, and who knows what section of
22 the city is going to be next. Maybe it will be
23 North Scranton, maybe it will be Green Ridge, I don't
24 know, maybe they'll come back to the Hill.
25 So, I think we need to do

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01 something about it. And I know one of the answers in
02 past they were saying when they can get manpower at
03 peak times of crime, and I don't disagree with that,
04 but I don't think that's going to solve the problem
05 totally.
06 And my other question would be, if
07 we're going to bring more manpower at peak times, you
08 know, what are we going to put them in?
09 We don't have enough vehicles
10 right now for the people that are on the shift the way
11 it is, we're short vehicles. Several times this year
12 we were doubled up, I think once or twice tripled up.
13 So, I'm not opposed to that, I don't think that's the
14 answer altogether.
15 So, I think the people have had
16 it. I think we need to do something, I think we need
17 to find a way. If money is the issue, then we've seem,
18 and I've said this before, and I'm not trying to be a
19 wiseguy, we seem to find money for everything else.
20 I think it's time, and I think the
21 people in this city agree, most of them that I speak to

22 anyway, if not all of them, agree that we need to do
23 something about the crime problem that we have in this
24 city. And that's all I have, Mr. President.

25 MR. DIBILEO: Thank you.

0135

01 Mr. Courtright. I want to just pick up on what you
02 just talked about, Mr. Courtright, and that is the gang
03 fight, and that's what the television station called it
04 today, gang fight that took place last night.
05 Fifteen or sixteen youths were
06 arrested, a few of them are still in jail. The only
07 injury that I'm aware of is the person that tried to
08 calm the situation down, is the person who was injured,
09 and that is an off-duty state trooper who lives in
10 West Scranton and whose children play at
11 Lackawanna Little League. He was attacked while he was
12 trying to arrest one of the individuals.
13 He actually told me today, I spoke
14 to him on the phone, he said that gangs are bad in the
15 city, and that's coming from a state trooper.
16 But I think that that's a good
17 example of -- what happened last night is a good
18 example of how things are different today than they
19 really used to be.

20 And, you know, we had murders
21 recently in West Scranton and rapes, and it's just
22 different, and I think it's more dangerous for
23 everybody involved.

24 So, in this day and age I think
25 it's irresponsible on behalf of the city to be

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01 protecting our citizens with more than 25 less police
02 officers, and we need more police protection, period,
03 as much as we could possible afford. So, I echo your
04 concerns about police protection.
05 I have a motion that I'd like to
06 make tonight. For the record, I'd like to say that all
07 members of this City Council are pro-economic
08 development, that're in favor of it. Make no mistake
09 about that, no matter what you hear or what you read.
10 Council recently voted against a
11 piece of legislation which involved the selling of
12 \$5 million worth of the city's loans, \$5 million of the
13 best loans. I actually voted in favor of that
14 legislation, but it was defeated, but I have a
15 suggestion as an alternative to selling those loans,
16 where we keep our loans, the city keeps their loans
17 while providing money to businesses to generate

18 economic development.

19 The city would set up a line of
20 credit with a local bank of their choice to make new
21 loans to businesses, and the city would collateralize
22 our existing loans that we now own to make new loans to
23 generate economic development.

24 The reason I think that this is
25 actually a better solution now that I've researched it
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01 is that we only collateralize the amount of the loans
02 needed, whatever we need to make the new loans; in
03 other words, we won't need to collateralize any more of
04 our loans than we need to make the new loans. We don't
05 have to sell anything.

06 I think it's a better deal for the
07 city, and this is a way to attract businesses to
08 Scranton, and actually there's a precedent that was set
09 with an emergency piece of legislation, 782 of 2001,
10 dated November 2 of 2001.

11 So, I make a motion that we
12 recommend to the administration to investigate how the
13 city would set up a line of credit with a local bank to
14 make new loans to businesses, and the city would
15 collateralize our existing loans to then make new loans
16 to generate economic development. And I make that in
17 the form of a motion.

18 MS. EVANS: Second.

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

21 MR. COURTRIGHT: On question the
22 Mr. President, I don't know a real lot about what
23 you're just talking about there, but I would be willing
24 to take a welcome at it.

25 MS. EVANS: I think I recall
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01 vaguely what you were referring to, I think maybe UDAG
02 loans were used --

03 MR. DIBILEO: It was involving
04 that, yeah.

05 MS. EVANS: -- yeah, as
06 collateral, and if I'm not mistaken, there's also a
07 possibility that we might even be able to make some
08 money under these circumstances, rather than losing
09 \$300,000 and some, as was the deal with CRF.

10 So, I think whatever way you want
11 to look at it, if this works out, it's a win/win
12 situation, so I'll support that.

13 MR. DIBILEO: Anyone else on the

14 question? Okay. All those in favor of the motion,
15 signify by saying aye.

16 MR. McTIERNAN: Aye.

17 MS. EVANS: Aye.

18 MR. COURTRIGHT: Aye.

19 MR. DIBILEO: Aye. Opposed? 4-0

20 vote, motion passes.

21 And the last thing I have is that

22 there apparently is a letter writing campaign going on

23 which is obviously being orchestrated by a political

24 campaign, there's a lot of very negative information

25 being spread, and incorrect information being spread.

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01 An example of the incorrect

02 information is the fact that I'm being criticized by

03 people writing letters to the editor about the fact

04 that I've set meeting times when I know that certain

05 City Council members can't attend the meetings.

06 That's absolutely the farthest

07 thing from the truth. Last summer, 2004, as soon as

08 school was out, as most of you know, Mrs. Evans and

09 Mr. McTiernan are employees of the Scranton

10 School District, as soon as school was out, every

11 meeting from the middle of June up until we took our

12 vacation in August, every meeting was had at twelve

13 noon, and I think we had almost unanimous attendance.

14 This year we discussed whether or

15 not we should do that again, and we decided as a group

16 that on a week to week basis we would determine whether

17 we would meet at noon or meet at seven o'clock.

18 Everybody was in favor of noon meetings, if that's the

19 way it was going to be, and everyone was going to be in

20 favor of seven o'clock meetings, if that's what the

21 group chose.

22 It turned out we had mostly

23 seven o'clock meetings, but July the 14th, we had a

24 meeting at twelve noon. All five members were here.

25 Nobody had a problem.

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01 So, there's no conspiracy

02 involving the setting of meeting times when certain

03 council members can't attend, and I want to put that to

04 bed right now.

05 Regarding the August meetings, if

06 you had other plans, I can understand that maybe you

07 weren't planning on meeting in August, so obviously no

08 meeting is mandatory on behalf of City Council members.

09 But I'm totally appalled to think

10 that the Mayor of Scranton himself could actually be
11 writing Emails saying that City Council is being
12 political in not taking a vacation, and that there are
13 speakers at these meetings that are puppets of
14 City Council.
15 Now, if you haven't seen the
16 Email, I actually saw one today, so you might get a
17 chance in the near future to see the Email.
18 I just think that that is so
19 totally irresponsible on the part of a person who's
20 supposed to lead a city to even be able to say, not
21 only say those things, but put them in writing.
22 And we are foregoing a vacation to
23 attempt to try to save the city \$3 and possibly
24 \$6 million, and that's why we're working this evening,
25 and we'll work next week when we normally would have
0141

01 been off. And that's all I have under fifth order.
02 MR. WALSH: Fifth order. There is
03 no fifth order business at this time. Sixth order,
04 there is no sixth order business at this time. Seventh
05 order, there is no seventh order business at this
06 time.

07 MR. DIBILEO: Seeing no further
08 business on the agenda, I'll entertain a motion we
09 adjourn.

10 MS. EVANS: Second.

11 MR. DIBILEO: We're adjourned.

12 (MEETING WAS ADJOURNED.)

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CERTIFICATE

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

LISA M. GRAFF, RPR
OFFICIAL COURT REPORTER

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