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1 SCRANTON CITY COUNCIL MEETING

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6 Held:

7 Thursday, September 22, 2005

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11 Time:

12 7:00 p.m.

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16 Location:

17 Council Chambers

18 Scranton City Hall

19 340 North Washington Avenue

20 Scranton, Pennsylvania

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23 Lisa M. Graff, RPR

24 Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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3 MR. GARY DIBILEO, COUNCIL PRESIDENT

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5 MR. WILLIAM COURTRIGHT

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7 MR. JOHN POCIUS

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9 MR. ROBERT McTIERNAN

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11 MR. MARK WALSH, ESQUIRE, SOLICITOR

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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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1 MR. DIBILEO: Okay. Please stand for
2 the Pledge Of Allegiance. Please remain standing for a
3 short prayer. Roll call, please, Kay.

4 MS. GARVEY: Mr. McTiernan.

5 MR. McTIERNAN: Here.

6 MS. GARVEY: Mrs. Evans.

7 Mr. Pocius.

8 MR. POCIUS: Here.

9 MS. GARVEY: Mr. Courtright.

10 MR. COURTRIGHT: Here.

11 MS. GARVEY: Mr. DiBileo.

12 MR. DIBILEO: Here. Mrs. Evans is not
13 with us yet this evening, I'm not sure if she'll be
14 attending or not. I understand she's under the
15 weather, so hopefully we will be seeing her tonight,
16 and if not, we hope that she's better very soon. And

17 if we can dispense with the reading of the minutes,
18 please.

19 MR. WALSH: Certainly. Third order.

20 3-A, CONTROLLER'S REPORT FOR THE MONTH ENDING AUGUST
21 31, 2005.

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

24 MR. WALSH: 3-B , PETITION FOR A STREET
25 LIGHT AT THE 1100 BLOCK OF WEST LOCUST STREET.

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1 MR. DIBILEO: Are there any comments on
2 3-B?

3 MR. POCIUS: Mr. Saunders, what's the
4 appropriate procedure for this, send it to REM or is it
5 the -- MEM or is the --

6 MR. SAUNDERS: MEM. Okay.

7 MR. POCIUS: Mr. President, I'll make a
8 motion we forward this to MEM for further
9 investigation.

10 MR. COURTRIGHT: Second.

11 MR. DIBILEO: Motion on the floor and a
12 second. On the question? All those in favor, signify
13 by saying aye.

14 MR. MCTIERNAN: Aye

15 MR. POCIUS: Aye.

16 MR. COURTRIGHT: Aye.

17 MR. DIBILEO: Aye. Motion carries.

18 MR. WALSH: 3-C, Clerk's notes.

19 MR. SAUNDERS: There's a little music

20 for us.

21 MR. DIBILEO: All right. That's a nice

22 stewy.

23 MR. WALSH: That was the introduction

24 of clerk's notes.

25 MR. SAUNDERS: Mr. President, tonight

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1 the only thing that I do have is a letter that I

2 received late this afternoon from Sara Hailstone, it's

3 a response to the Summer in the City banners and also

4 Restoring the Pride.

5 The number on the Summer in the City

6 banners is \$45,944.63. That includes signs, banners,

7 billboards, newspaper ads, and that's all. The number

8 is still not finalized at \$45,944. There's still --

9 the billboards have not come in yet, so this is a

10 partial bill.

11 The bill for the Restoring the Pride
12 signs that we've asked about for a while now is
13 \$4,859.21. I got this late this afternoon, and if you
14 would like to take a look at it, I will have copies for
15 you tomorrow.

16 MR. COURTRIGHT: Jay, is it possible
17 that maybe you might give it to the paper and they
18 might want to print this, because I'm sure people are
19 going to be curious to where that \$45,000 went.

20 MR. SAUNDERS: Yes, I will.

21 MR. SAUNDERS: That's all I have, Mr.

22 President.

23 MR. DIBILEO: Okay. Thank you, Mr.

24 Saunders.

25 MR. WALSH: Fourth order. Citizen

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1 participation.

2 MR. DIBILEO: Before I call up the
3 first speaker, I'd like to announce that a private
4 caucus was held this evening to discuss matters
5 involving pending litigation regarding the Hilton Hotel
6 And Conference Center earlier this evening, and at the
7 advice of five lawyers, it was determined that those

8 discussions be held in private.

9 I also would like to welcome all

10 audience members and all speakers, we appreciate your

11 being here. I'd like to remind speakers to refrain

12 from remarks of a personal nature, and I'll ask our

13 solicitor, Mark Walsh, to assist me in determining when

14 the fine line between remarks that are acceptable and

15 those that are not are crossed.

16 So, Mr. Walsh, if you would jump right

17 in if you feel the need. Also, if speakers would

18 please keep their comments to no more than five minutes

19 for the consideration of others, we'd greatly

20 appreciate that. Thank you. And with that said, the

21 first speaker is Jimmy Stucker.

22 MR. STUCKER: How are you doing, Mr.

23 Courtright?

24 MR. DIBILEO: Hi, Jimmy.

25 MR. STUCKER: Hi. I was at your

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1 office, I was at your thing today, down your -- where

2 you have your thing down the street from me.

3 MR. DIBILEO: Oh, okay, Jim.

4 MR. STUCKER: So, I went there twice

5 today. A couple times I wanted to get a sign -- my
6 staff won't let me put it in the window because that
7 building is run by the state, that's the whole problem.

8 MR. DIBILEO: Okay. Thank you, Jimmy.

9 MR. STUCKER: And, Mr. Courtright, Mr.

10 DiBileo, Mr. Courtright, you know that note that I gave
11 you, that's for that -- for Tom, he has problems, he's
12 telling me.

13 MR. COURTRIGHT: Okay. I'll call him.

14 MR. STUCKER: You'll call him tomorrow?

15 MR. STUCKER: Call my building or call
16 him at his house.

17 MR. COURTRIGHT: Okay.

18 MR. STUCKER: All right?

19 MR. COURTRIGHT: All right.

20 MR. DIBILEO: Thanks a lot, Jim,
21 appreciate that.

22 MR. SBARAGLIA: Andy Sbaraglia, citizen
23 of Scranton. Fellow Scrantonians, I talked to the
24 lawyer on this Hilton deal, in 2001, they lent the
25 hotel \$12,640,000. Today they claim that they're owed

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1 because of the foreclosure, \$31,691,087.56, almost two

2 and a half times what they invested.

3 That's what they claim. Now, that's

4 their problem. Our problem is what to do, that's where

5 we are. We're going to lose that \$3 million no matter

6 what, because no matter what we have to still keep

7 paying it, no matter what this hotel does.

8 Every, what was it, I think twice a

9 year we have to make payments to HUD, and there's no

10 way we're going to get this \$3 million back for God

11 knows how long. That's one thing. So, we're going to

12 lose \$3 million there.

13 Now, parking, they have an open-ended

14 parking agreement, free parking for one 100 years,

15 maybe 1,000 years, because it doesn't matter. Their

16 litigation says free parking until they decide they

17 don't need it anymore, okay?

18 And I figured it out for eight years,

19 just on the parking fees that they're going to lose,

20 and it came out to \$2,549,200, that they're going to

21 lose -- the Parking Authority is going to lose in eight

22 years.

23 Now, this contract goes on forever

24 until they decide it. We're talking about near 100 --

25 probably if it goes on for 100 years, it would be about

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1 \$80, \$90 million dollars in free parking.

2 MR. DIBILEO: Mr. Sbaraglia, can I just

3 stop you there, Andy, for a second?

4 MR. SBARAGLIA: Sure.

5 MR. DIBILEO: That's actually not

6 totally true. There is going to be a fee at the new

7 Casey Parkway.

8 MR. SBARAGLIA: I'm not referring to

9 the Casey, I'm referring to The Medallion.

10 MR. DIBILEO: Now, The Medallion, the

11 way I understand it, maybe Mr. Walsh could correct me,

12 but that agreement will be negotiated at all later

13 date.

14 MR. SBARAGLIA: Well, how could you

15 approve a contract if you're going to be renegotiated?

16 This thing is coming up for final approval.

17 MR. DIBILEO: Well, that's between the

18 Parking Authority and the hotel, the way I understand

19 it. Mr. Walsh --

20 MR. SBARAGLIA: Well, then you should

21 strike that part out.

22 MR. DIBILEO: Mr. Walsh, could you --

23 there is an amendment regarding The Medallion.

24 MR. WALSH: I believe. Thank you.

25 Yeah, with respect to The Medallion Garage, obviously

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1 the Medallion is owned by another entity, so what we
2 have here, Andy, is a motion where we're going to enter
3 into the agreement substantially in the form attached
4 hereto or as the parties may subsequently agree by and
5 among the parties, so they're still negotiating to a
6 certain extent on the garages. And I think this is
7 what you and I had talked about before the meeting.

8 MR. SBARAGLIA: Yeah, it's just
9 negotiation, but in the meantime you're going to
10 approve it, and when you approve it, it's going to go
11 through just like it is, because where somewhere along
12 the line somebody already negotiated this deal. This
13 was done in a backroom somewhere, but it was done.
14 Now, they have 175 parking spaces free
15 down at some lot. That's all we were obligated to
16 supply and we supplied them. Where do you get that
17 they're going to sue us is beyond me. They're not
18 going to sue us.

19 The best thing for you to do is just

20 let them foreclose on this hotel and then you can get
21 in with the taxes. We got millions of dollars in taxes
22 that we can get, and then you can negotiate from a
23 strength position, and not a weak position telling me
24 they're going to sue us.

25 They're not going to sue us. Even if

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1 they did sue us, we're going to win, because the
2 agreement calls for 175 parking spaces, which we did
3 supply.

4 MR. DIBILEO: Andy that's also not
5 true, because I think the way it's been working is that
6 they've been valet parking their customers, taking them
7 to different locations throughout the city and paying
8 whatever fees there are associated with that.

9 MR. SBARAGLIA: Yeah, but that isn't
10 what our agreement calls for. Our agreement calls for
11 the 175. That's the true part. What we voted on and
12 what we stick by.

13 That's why the Mayor said we will not
14 be sued over parking because he stands from the
15 position of strength. What they did, that was their
16 prerogative.

17 Now, if you let this thing go, we stand
18 to make almost probably near a half a million dollars
19 more in taxes on this building because now the building
20 becomes taxes.

21 They're paying, like, a \$400 and some
22 now just on the land, the building is usually twice as
23 much as the land, so even if conservatively speaking,
24 they could be assessed on land and taxes up to
25 \$800,000. That's not in this.

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1 I won't go on, but believe me, this is
2 garbage for the taxpayer. Maybe for somebody it's
3 great, but certainly not for the taxpayers. I told you
4 before, they can only do three things with this
5 building, they can sell it, they can close it, or they
6 can run it. Thank you.

7 MR. DIBILEO: Henry Sallusti.

8 MR. SALLUSTI: Thank you, Mr. DiBileo.

9 My name is Henry Sallusti, I'm a resident of Scranton,
10 a taxpayer of Scranton, and I served as the senior
11 underwriter for the City of Scranton's 2003 general
12 obligation bond issue, along with J.B. Kelly from
13 Commerce Capital Markets and Jerry Stanvitch from

14 Janney Montgomery Scott.

15 I also served as the financial advisor

16 for the City of Scranton's lease back issue that was

17 done at the end of 2004.

18 And the reason why I'm here this

19 evening is I believe the -- about two or three weeks

20 ago there was a statement made at Council that the City

21 of Scranton was approximately \$198 million in debt, and

22 that statement is incorrect, and what I've put before

23 you tonight is I'd like to walk you through the debt

24 prior to Mayor Doherty coming in and what it is today.

25 If you look on your left, you'll see

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1 Mayor Doherty inherited \$32,355,000 of obligations.

2 The 1997 bond issue, 2001 A's and C's, along with the

3 Provident loan.

4 After that time, we refinanced the '97

5 issue, the 2001 A to 2001 C, and the Provident loan.

6 In addition to that, we also financed money for a

7 pension, new money, and a Workers' Comp. Fund.

8 When the Mayor came in, we had streets

9 that needed to be paved, the DPW garage was condemned,

10 the Workers' Comp. Fund was grossly underfunded and the

11 police, fire and non-uniformed employees of the City of
12 Scranton were looking at a \$56 million unfunded pension
13 actuarial.

14 What we did was we got together with
15 the Mayor, along with the president of City Council,
16 the Chief Clerk, the Business Administrator and Public
17 Financial Management, which was the financial advisor,
18 we could put together a road map and a plan that we
19 were going to follow and how we're going to attack all
20 of these problems.

21 What we did was we met, and I served as
22 the principal for the underwriters, the other two
23 underwriters that I mentioned earlier before, we met
24 with Standard and Poors and we told them what we wanted
25 to do, we asked them what we needed to do.

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1 We needed to get audited financials, we
2 did get audited financials, and we received a Triple B
3 rating, which allowed us to get an Amback insurance
4 (phonetic), which allowed us to refinance the city's
5 outstanding obligations.

6 And if you look on the left, on the
7 line blow it, you'll see prior to Mayor Doherty coming

8 on board as Mayor, the annual obligations that took
9 into consideration the '97 A's, the 2001 A's and C
10 bonds, the Provident loan, along with the Workers' Comp
11 that was out of control, we were paying \$1.3 million a
12 year, along with the pension payment that was funding
13 the minimum municipal obligation to try to fund -- try
14 to get back some of that money for that \$56 million
15 that we had to hold.

16 You'll see the debt service payments --
17 the annual debt service payments were a little over \$9
18 million. After we received that insurance commitment
19 and received Triple A rates, we were able to refinance
20 that bonds.

21 What that did was create a \$2,354,54 in
22 savings. In addition to that, there was a debt service
23 reserve fund that was funded in the previous bond
24 issues, approximately almost \$2.5 million.

25 The reason why that was set up was

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1 because the city had junk bond status. Because now we
2 had Triple A insurance and we were able to get --
3 refund these bonds, we were able to free up that money
4 and used that to downsize the bond issue.

5 We also recaptured approximately
6 \$1.7 million of money that was in a negative escrow.
7 And if you look on where it says the annual cash flow
8 savings after we've done all that, you'll see that the
9 annual cash flow savings are approximately \$347,538.81.

10 Now, I'd like to just walk you through
11 a few of the things that the Mayor did do with that new
12 money, because I've heard a million different things
13 throughout the past two or three years. If you look at
14 foot note number three --

15 MR. DIBILEO: Let me ask you a quick
16 question.

17 MR. SALLUSTI: Sure.

18 MR. DIBILEO: Did the term get
19 extended?

20 MR. SALLUSTI: The term was not -- on
21 any of the bond issues, the term was not extended past
22 their existing terms. The '97 issue was going to be
23 paid off when it was set up, the 2001 A's, 2001 C's are
24 going to be the same thing.

25 The new money that I was referring to

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1 earlier, the department -- \$3.6 million of this

2 \$12 million went to a new DPW garage; almost \$3 million
3 went to a brand new police station; paving,
4 \$2.9 million; park system improvements citywide,
5 \$2.3 million, and information technology improvements
6 of approximately \$250,000.

7 I hear everybody beating up the Mayor
8 week in and week out, and I think this is important to
9 see that the Mayor put his mouth where his money was,
10 and he put his money back into City Hall and city
11 government. Thank you.

12 If you have any questions, I will be
13 glad to answer them.

14 MR. DIBILEO: Thank you. I would think
15 this deserves a meeting all to itself, and if you'd
16 like to --

17 MR. SALLUSTI: I will --

18 MR. DIBILEO: And if you'd like to set
19 something up with City Council for a caucus meeting,
20 we'd be happy to go over these with you.

21 MR. SALLUSTI: Definitely. Thank you.

22 MR. DIBILEO: Thank you. Douglas
23 Miller.

24 MR. MILLER: Good evening, Council.

25 Doug Miller, Scranton. I asked this Council two weeks

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1 ago if they can look into putting speed bumps at the
2 end of West Locust Street, and you said you were going
3 to look into it, but I really hope you are, though,
4 it's very important that that gets taken care of,
5 otherwise there's going to be a problem there.

6 MR. DIBILEO: Jay, was that request
7 made?

8 MR. SAUNDERS: Yeah, I've discussed
9 that with Mr. Parker, they're going to look into an
10 alternative to speed bumps. They don't want to put
11 speed bumps in the middle of the street for the obvious
12 reasons, but he's going to look into an alternative to
13 that.

14 MR. MILLER: Well, something needs to
15 get done, so hopefully it does.

16 On Wednesday, October 12, there will be
17 a mayoral debate at West Scranton High School, and this
18 is just for the students only, it's closed to the
19 public, and it's a great opportunity for the kids to
20 ask candidates questions.

21 So, I'd like to thank Mr. Murray and
22 Mr. Rogan at the high school for putting that together.

23 And I do have one question, though, if the high school
24 could record the debate and then send it into Channel
25 61, so they could broadcast it, I think that's

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1 important that the citizens get to see it, because they
2 won't have the opportunity to go to the debate and see
3 it in person, so if they could show it on 61.

4 MR. DIBILEO: Yeah, we can make that
5 request.

6 MR. MILLER: I know the high school
7 wants it on. The principal has called 61 to see if
8 they'll broadcast it. They haven't returned any of his
9 calls, so --

10 MR. DIBILEO: We'll see if we can make
11 that request for you, Doug. I know a debate before
12 students may be slightly different than one before, you
13 know, a normal, not a normal group, but a regular
14 audience, I should say, so maybe they'll want to take
15 that into consideration, I don't know, but we'll
16 certainly try to see if we can make that happen.

17 MR. MILLER: Thank you. And the last
18 thing I have is audience behavior, and so far tonight
19 the audience has been pretty good, but when I was here

20 two weeks ago, it's like a circus back here. I think
21 it's a disgrace and an embarrassment to the city.
22 These adults act like little children when they come up
23 here. They're always telling us to grow up, I think
24 it's time we tell them to grow up and stop insulting
25 the Council President. Thank you.

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1 MR. DIBILEO: Thank you, Mr. Miller.

2 Bob Bolus.

3 MR. BOLUS: Good evening, Council. Bob

4 Bolus, Scranton.

5 MR. DIBILEO: Good evening.

6 MR. BOLUS: On 7-E, I would like to

7 ask, I know there was a caucus today that the public

8 was not allowed, I wish -- I'd like someone to cite me

9 what exception to the Pennsylvania Sunshine Law that

10 allowed you to discuss this matter behind closed doors

11 tonight and then expect us to come out here as public

12 citizens, when it's our dollars and be able to

13 intelligently address council regarding this critical

14 issue.

15 MR. DIBILEO: I'll have to defer that

16 question to our solicitor, Mr. Bolus.

17 MR. WALSH: Yes, Mr. Bolus. Within the
18 Sunshine Act there are certain provisions which allow
19 for, not that they don't require, but they allow for
20 executive session in private.
21 Upon entering, the one attorney for the
22 one party handed me what he said was a lawsuit that was
23 potentially going to be filed, so what we did is we
24 discussed among ourselves to a certain extent, you
25 know, how we would resolve this lawsuit.

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1 I considered that to be a pending
2 lawsuit, although it wasn't actually filed, I
3 considered it impending.
4 So, at that point I thought that
5 because of that, if we were trying to negotiate a
6 settlement of those documents and trying to, you know,
7 resolve the issues that were brought up, I felt that
8 would be best done in an executive session.
9 But to answer your question, sir,
10 again, it would be the provision of the Sunshine Law
11 that deals with litigation and pending litigation,
12 which is one of the enumerated exceptions to the
13 Sunshine Law.

14 MR. BOLUS: Right. But it may have
15 been pending litigation, but it wasn't filed yet, so --

16 MR. WALSH: No. And that's -- the
17 issue is when he handed it to me, would I consider that
18 to be impending, and once you're handed that, I look at
19 that as impending.

20 And, again, if you're going to be
21 discussing the lawsuit, sometimes you don't want to
22 reveal exactly what you're discussing with the other
23 lawyers on the same side, nor if you are going to
24 discuss it with the lawyers on the other side, do you
25 want that to be discussed in public.

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1 But suffice it to say, any questions
2 you might have with respect to the resolution that's
3 attached, feel free to ask and I'll answer any question
4 you have to the best of your ability, sir.

5 MR. BOLUS: I understand that. On the
6 resolution we have a lot of questions that I can't do
7 in five minutes, that's why I believe that if council
8 was discussing this, I could understand the litigation
9 part, that could be done in private, but when it came
10 to the resolution and discussing this issue regarding

11 the Hilton, I believe this is a public matter that
12 involves taxpayer dollars, and I believe that should
13 have been out in the open for us to intelligently be
14 able to decide how we address council tonight.

15 There are a lot of issues in this that

16 I have here. There are many issues that I can't do in
17 five minutes. I don't believe we should put our
18 \$3 million at the end of this thing saying that if they
19 get \$32 million, they keep their money, if they get \$33
20 million, we get a million.

21 I don't believe our money should be in
22 jeopardy, I don't believe our money should be
23 perpetually put to the end, and our litigation rights
24 in this here should be waived and extinguished --

25 MR. WALSH: Just so that I can answer

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1 that, Mr. Bolus, and again I'd ask Jay not to take time
2 off of you, because the questions you're asking are
3 very good questions and questions which the public has
4 a right to know, you mentioned the \$3 million, and I
5 can only say to that issue that there's a foreclosure
6 sale that will take place on the 27th of September.
7 When that foreclosure sale takes

8 place, any junior liens to the lien of Spectrum will be
9 extinguished. One of those junior liens is the \$3
10 million debt that's owed to the city, so the agreement
11 at least gives the ability or the possibility of
12 getting something out of that into the future; whereas,
13 if there was no provision in the agreement dealing with
14 that, we would have no chance at recovering that
15 because of the foreclosure law in the State of
16 Pennsylvania.

17 MR. BOLUS: I understand that argument,
18 okay? I totally disagree with that argument, even
19 though our lien is extinguished. Keep in mind our
20 Mayor has already made payments on this indebtedness
21 already out of the OECD money to the tune, I guess,
22 it's \$600,000 or something like that.

23 My issue is, Why should we as a city --
24 our 3 million bucks is gone. If they don't sell it for
25 \$32 million, our \$3 million is gone anyway, including

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1 the \$10 million grant, which I agree, is not a loan
2 that's loaned to the city, it's given by the state as a
3 grant that you don't have to pay back, but jeopardize a
4 grant, and you're not going to go ask the state to give

5 you any more money.

6 This was an irresponsible attitude, and

7 I don't -- and the Mayor -- and I raised this three an

8 a half years ago regarding this issue, do not

9 subordinate our claim.

10 The bank will subordinate it. You go

11 in and get a mortgage, as I've said in the past, you

12 put up front money. Here they're not putting anything

13 upfront.

14 Even if they foreclose and our \$3

15 million is put to the rear, we still have a tax base to

16 collect taxes, we still have a lot of other issues.

17 They could file their litigation regarding parking

18 spaces, but they have to demonstrate how they lost

19 money by not having any parking.

20 There's shuttle parking, there was

21 valet parking. It's not as though they were closed

22 down and nobody came to their hotel.

23 This was a mismanagement on their part.

24 We can't ask Spectrum -- or Spectrum can't expect us,

25 the taxpayers, who are now facing possibly \$5 a gallon

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1 for gas, 35 percent heating cost, the natural gas, to

2 now fund this Hilton Hotel.
3 This is a political issue that's up
4 here. This isn't a sound business plan. Even if
5 Spectrum wants to continue negotiating, they have the
6 ability to stop the foreclosure next week or whenever
7 it comes up to continue negotiations.
8 This is a bully tactic, and I don't
9 believe this council should pass this and jeopardize
10 any more taxpayers' dollars. Right now we can collect
11 taxes. Right now we can change for parking.
12 So, they want to sue, more power to
13 them. We still have the right to collect money.
14 They're not entitled to anything more.
15 And whether they have a lawsuit, that's
16 another questionable issue, whether they didn't get
17 what they had. They didn't pay taxes anyway, so how
18 could they say taxes affected them? So, when we go
19 through this, I disagree totally that this should even
20 be an issue.
21 And one thing I need to do, last week
22 the unions came in here, Mr. DiBileo, and they badgered
23 you to convince Janet and Bill to see things their way,
24 well, I'm not anti-business, as everyone know, I'm not
25 against the Hilton, I'm not against them, I'm against

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1 how we have to pay out of our pockets.

2 But the unions to come here and demand

3 that you convince two councilmen here to see things

4 their way is a typical union fashion.

5 And for their information, I used to be

6 a teamster years ago, Local 229. They believe in a

7 brotherhood, then if their brotherhood is so strong,

8 then come here and defend the unions in the city to

9 help them get what they need to do and put this

10 Recovery Plan to rest.

11 And last but not least --

12 MR. DIBILEO: Thank you, Mr. Bolus.

13 MR. BOLUS: -- the city has a DOT unit,

14 okay, they have been at the thing a couple weeks ago,

15 the city is not doing anything on DOT enforcement

16 within the city.

17 DOT is on trucks and other things to

18 see that they're safe. It's a source of revenue to the

19 city, but it's also a safety factor, and I would ask

20 that this Council ask the Mayor or Mr. Hayes to

21 reinstate that and put our police to work where they're

22 best able to do. Thank you.

23 MR. DIBILEO: Thank you.

24 MR. COURTRIGHT: Mr. President, if I

25 may, Mr. Bolus, I asked the question, because it was

.

26

1 asked several times about the \$10 million, and I asked

2 to have that explained to me, and the way I understand

3 it is this -- is that the \$10 million wasn't given to

4 them until once the construction had taken place, then

5 they were given the \$10 million for the construction of

6 the building, so we actually didn't lose any money.

7 MR. BOLUS: No, we still have the hotel

8 right now, unless we give it back to Spectrum, then we

9 don't have anything, we waived our rights.

10 MR. COURTRIGHT: Right. But the \$10

11 million was for the construction of the property.

12 MR. BOLUS: I understand, but it's the

13 State giving a grant back to the city or the State's

14 giving a grant to build something, and what's happened

15 is, that's gone if we give this back to Spectrum or

16 this LLC Corporation, and we're asking them to go

17 guarantee a loan, but there are no guarantees to this

18 city that you will guarantee to the taxpayers

19 \$3 million. It's got to be upfront if they want to do

20 it.

21 MR. DIBILEO: Thank you, Mr. Bolus.

22 MR. COURTRIGHT: All right. I asked

23 the question, because I know it has been asked here

24 before, and I wanted to be able to --

25 MR. BOLUS: Well, that's why I want to

27

1 ask that this be voted down or tabled until we have a

2 better explanation.

3 MR. DIBILEO: Thank you, Mr. Bolus.

4 Bill Jackowitz.

5 MR. JACKOWITZ: Good evening, City

6 Council. My name is Bill Jackowitz, resident and

7 taxpayer, independent registered voter.

8 You know what, my father loved this

9 city. He was not a leader of the city, he worked on

10 the railroad and drove back and forth from Binghamton,

11 New York every day.

12 He worked the midnight shift, and this

13 was before the interstate highway system. When he and

14 my mother would come visit me at my duty stations,

15 within two days my father was ready to come back to

16 Scranton because of it just was not the same.

17 When I introduced him, he would always
18 proudly say, I'm from Scranton. He never said
19 Scranton, Pennsylvania, just Scranton.
20 Well, guess what, there are eight
21 Scrantons in the United States, one being in the state
22 of New Mexico, another being in the state of North
23 Dakota. My father happened to be in both states.
24 At the Lackawanna Courthouse Square my
25 father's name appears on the back of two monuments, the
28

1 Pulaski, the corner of Linden and Adams and the General
2 Koshifsko's on Adams Avenue, with his name, William
3 Jackowitz on the back of him. Like I said, he was not
4 a city official. My family and myself are proud of the
5 permanent recognition of our father.
6 Have we fallen to such a low in the
7 City of Scranton that we are now using the Insane Posse
8 group as a political tool to influence voters?
9 About three years ago I drove a friend
10 of mine, her 14-year-old son and two friends to
11 Philadelphia, Pennsylvania to attend an Insane Clown
12 Posse concert. All three were students at Scranton
13 High School.

14 I did not attend the concert, did not
15 even know what it was about, but the witness 14, 15 and
16 16-year-old boys and girls with painted clown faces
17 wearing cloths ten sizes too large on them was a
18 learning experience.

19 The language that I heard, by far the
20 worst I had ever heard. I spent over 20 years in the
21 military, so I have seen and I've heard a lot. The
22 stories that the boys told were beyond imagination.

23 For those of you who support the Insane
24 Clown Posse, I suggest you attend one of these concerts
25 and events, see for yourself.

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1 There have been articles and cartoons
2 printed in the local newspaper that imply that Mr.
3 DiBileo has harbored and allowed members of the group
4 to gather at his place of business.

5 I say to the leaders of Scranton to
6 step forward. If you agree with this, then say so and
7 offer proof. If you disagree, then say so and demand
8 proof. Whatever happened to the saying you are
9 innocent until proven guilty?

10 My father and other fathers fought

11 hard, some died to protect the First Amendment, Freedom
12 of Speech. Unless you are slandering another person or
13 just speaking untruths, you have the right to say what
14 you please.

15 Citizens, do not stop speaking.

16 Someday our politicians and newspaper will listen. And
17 please do not allow what you read in the newspaper to
18 influence your vote. Listen for yourself what the
19 candidates are saying.

20 I am not concerned which candidate you

21 vote for, I hope you made your choice based upon fact,

22 not some reporter's article or cartoon, but even worse,

23 from a statement of a 17-year-old member of the Insane

24 Clown Posse group.

25 We have a city slogan, Restore The

.

30

1 Pride, now we have the opportunity to do just that. I

2 would not want my city tagged with the title, City that

3 elected Mayor on statements made by 17-year-old Insane

4 Clown Posse member.

5 Elected leaders, step up to the plate.

6 Either endorse these statements as being true or

7 challenge and ask for proof.

8 Don't get me wrong, I support the
9 newspaper's right to free speech, but I also feel that
10 they must produce evidence that would stand the test of
11 the law, not just one person said while testifying in a
12 criminal matter. Again, I appeal to the elected
13 leaders to stand up and challenge. Let's get this
14 right.

15 I once read somewhere that the
16 government is for the people by the people. Maybe I
17 misread that. It could have said, Government is by the
18 politicians and news media for the selected few.
19 Again I say, why can't we all just get along?

20 Mr. DiBileo is a successful business
21 man, father and husband, he should not be subjected to
22 these character attacks. Mr. Doherty is a successful
23 businessman, farther and husband, he also should not be
24 subjected to these character and personal attacks, just
25 because both men aspire to be the Mayor of Scranton.

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31

1 On the 900 block of South Webster
2 Avenue there is a duplex house, on one side there's a
3 support Doherty for Mayor sign, on the other side
4 there's a support DiBileo for Mayor side. These signs

5 sit side by side.

6 I believe this is politics at work,

7 good politics, the way that it should be. The men and

8 women who gave their lives for this country would

9 agree, also.

10 In closing, I would like to see Mr.

11 Doherty, Mr. DiBileo and Mr. Lynett extend an olive

12 branch to each other, make peace and get on with a good

13 political campaign, not a mud-slinging social event.

14 Remember, my father and other fathers

15 are looking down scratching their head and saying, What

16 happened in Scranton?

17 I do not know anybody in the city

18 administration or City council or working for the

19 Scranton Times. I also believe that they do not know

20 me. Someday I hope to have the same belief about the

21 city and pride that my father had. Thank you for

22 allowing me to speak.

23 MR. DIBILEO: Thank you, Mr. Jackowitz,

24 words well spoken. Less Spindler.

25 MR. SPINDLER: Good evening, Council,

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1 Les Spindler. Last week, Mr. DiBileo, you were accused

2 by a speaker of letting your sister-in-law use her
3 name, when a couple weeks before you prevented me for
4 using that speaker's name, well, in fact, it wasn't you
5 that prevented me from using the speaker's name, it was
6 Mr. Walsh, and he's not here to prove my point now, but
7 it's in the minutes, so whatever.

8 So, I think that speaker owes you an
9 apology, because her facts are wrong. I think she
10 better get a new writer.

11 And the same speaker made a big deal
12 about these Support Our Troops bracelets, but she
13 neglected to see at the Italian Festival the Doherty
14 camp was handing out Support Our Troops magnets.

15 It's funny, he's handing our Support
16 Our Troops magnets, but he wasn't there to support our
17 troops when they came home from Iraq. Can you say
18 hypocrisy?

19 As soon as the primary election, we've
20 seen a very different Chris Doherty. He's in your
21 neighborhoods where he hasn't been for four years, he's
22 fixing your streets, which he hasn't fixed for four
23 years, he's putting police officers in your
24 neighborhoods, where they haven't been for four years,
25 and he's spending a fortune in campaign contributions,

1 on TV commercials and billboards to tell you how much
2 he's done for you.

3 The question is, Are you going to be

4 fooled again, because make no mistake, if you elect him

5 again, you won't see him again. Your streets won't get

6 fixed, your taxes won't come down, and the police

7 officers will disappear from your neighborhoods.

8 And another thing, on the billboards on

9 the commercials, all you hear about Mayor Doherty's

10 leadership, well, I have some leadership questions for

11 Mayor Doherty.

12 Do leaders take credit for other

13 people's work? Do leaders hide from the people? Do

14 leaders threaten other people's jobs? Do leaders

15 separate children into haves and have nots, rich and

16 poor? Do leaders break their word? Do leaders stifle

17 free speech? Do leaders leave neighborhoods

18 unprotected? Do leaders plunge the people into debt?

19 Do leaders give the people's money to rich friends? Do

20 leaders run a government like a dictatorship? Do

21 leaders hurt working men and women? Do leaders claim

22 they know what's best for the people? Do leaders

23 divide the people? Do leaders change their behavior,

24 personality, and treatment of citizens in an election

25 year? Do leaders disregard every opinion but their

.

34

1 own? Do leaders burden our children and grandchildren

2 with debt? Do leaders covet power so much that they're

3 willing to do or say virtually anything to hold onto to

4 it? Do leaders place their own personal agenda,

5 ambitions and desires ahead of the people's concerns?

6 Do leaders take police officers off the streets, while

7 crime runs rampant throughout the city? Do leaders

8 leave the streets in disrepair and covered with

9 potholes? Do leaders think money and power win

10 elections? Do leaders think the rich are more powerful

11 than people? Do leaders think they can fool the

12 people?

13 Citizens of Scranton, before voting,

14 please think about these leadership questions.

15 While I have a little more time, I also

16 want to comment about this ridiculous cartoon that was

17 in Sunday's paper. Mr. DiBileo, you explained yourself

18 quite clearly about the situation last week. It just

19 shows how one-sided the newspaper is, and I pray for

20 the day that we have another newspaper in this city,
21 and I'll be the first one to cancel my Scranton Times
22 Tribune subscription. Thank you.

23 MR. DIBILEO: Thank you, Mr. Spindler.

24 John Francis Brzycki, Jr.

25 MR. BRZYCKI, JR.: Francis Brzycki,

35

1 Jr., taxpayer, owner of 333 East Locust Street,
2 Scranton, Pennsylvania, South Side of Scranton.

3 On August 25, I brought pictures to the
4 council. Council, did you see those pictures of the
5 deplorable conditions I live in?

6 MR. DIBILEO: Yes, we did.

7 MR. BRZYCKI: Did you?

8 MR. DIBILEO: Yes.

9 MR. BRZYCKI: Kay, did you hand those
10 to the -- where did you hand those, Kay, when I brought
11 them down, did you hand them to anybody, those pictures
12 I brought?

13 MS. GARVEY: They're in our office.

14 MR. BRZYCKI: They're in Doherty's
15 office?

16 MS. GARVEY: Our office.

17 MR. BRZYCKI: Will Doherty ever see

18 them?

19 MS. GARVEY: I don't know.

20 MR. DIBILEO: Kay, would you send them

21 down to Mr. Doherty's office, the mayor's office?

22 MS. GARVEY: Yes.

23 MR. BRZYCKI: I want to know if he's

24 going to spray for that nest down there that's going on

25 because of the vegetation down there and there's young

36

1 kids and we're going to have mosquitos down there and

2 be -- October. They're doing it in Wilkes-Barre, why

3 can't he do it up there in South Side? It's a mess.

4 Okay, The North Scranton -- I went down

5 to the North Scranton Neighborhood Association, and

6 that was formed by the Mayor. His agenda was there,

7 and the Mayor was very adamant. He said, Before we

8 even get started, he said, I understand there's some

9 people here that shouldn't be here.

10 So, I said, Okay, he knows I'm here. I

11 said, Well, what could this problem be? And he said

12 maybe because I'm there to see the Mayor because he

13 doesn't come to the Council, that's why I'm there.

14 So, I said, I can't answer the question

15 I want answered, so I listened to the Mayor when he

16 spoke, and the Mayor spoke about raising taxes.

17 Okay. And the one tax he said he's

18 going to raise is the occupation privilege tax, he's

19 going to raise it from \$10 to \$52.50, like everybody

20 else, he said.

21 So, I said, Who's going to pay for that

22 \$52.50? Well, the City of Scranton, the people working

23 in the City of Scranton pay \$52.50 for the wage tax.

24 I said, Well, wonderful. How could the

25 people in Boscov's, Bon-Ton, when they're working down

.

37

1 there for \$6.10 an hour for the last three years pay

2 \$52.50 for the occupational privilege tax, and how come

3 people who work in Boscov's that pay \$6.75 an hour pay

4 \$52.50 for the Occupational Privilege Tax?

5 He said, Well, they won't have to pay

6 it because they won't make enough. I said, Who's going

7 to pay it then, right? Who's going to pay it? Okay.

8 We will find out when that happens. Hopefully it

9 won't.

10 Another thing I brought up to the

11 Mayor was the fact that he's building a Taj Mahal down
12 there in the City of Scranton and he's letting the
13 neighborhood associations fall apart, like South Side,
14 North Scranton, West Side, and it's all falling apart.

15 Because I know, I am a paperboy, I
16 delivering papers all over the morning and I see these
17 people's houses the way they're deteriorated. They
18 didn't do nothing for their houses because they
19 couldn't afford the taxes they're paying right now.

20 And, Mr. Pocius, I got a question for
21 you. I'm upset over this, too. The last time you
22 paved the road was from Fig Street right, Fig Street?

23 MR. POCIUS: What road?

24 MR. BRZYCKI: Fig Street, Fig Street.

25 MR. POCIUS: Fig Street was paved,

38

1 yeah.

2 MR. BRZYCKI: Okay. Where was it
3 paved, from the top to the bottom?

4 MR. POCIUS: It was paved from, I
5 think, Prospect and Fig down across Pittston, down Fig
6 to across Cedar, and I think to the end.

7 MR. BRZYCKI: I was waiting for my city

8 street to be paved for 50 years. It hasn't been paved

9 yet. Why, because I'm a Republican?

10 MR. POCIUS: To answer your question,

11 that street was paved, I think, by the contractor for

12 the --

13 MR. BRZYCKI: What year?

14 MR. DIBILEO: John, let Mr. Pocius

15 answer, please.

16 MR. BRZYCKI: I'm sorry. Well, 50

17 years I'm waiting for my street to be paved.

18 MR. DIBILEO: Okay.

19 MR. POCIUS: I have no idea when East

20 Locust Street and West Locust's going to be paved.

21 MR. BRZYCKI: East Locust Street,

22 that's right, East Locust Street, the 300 block.

23 MR. POCIUS: I made a point that the

24 street was paved. It was paved by the contractor for

25 the gas company, because there was many utility cuts in

.

39

1 the street, and the street was disturbed enough that it

2 required repaving, which I think is a good -- we're

3 enforcing that right now, years ago we didn't.

4 MR. BRZYCKI: Well, can I have my

5 street paved this year, everybody else got theirs

6 paved.

7 MR. DIBILEO: Mr. Brzycki, what we can

8 do is request that your street be looked at for paving.

9 MR. POCIUS: Sure.

10 MR. DIBILEO: Let's do that.

11 MR. BRZYCKI: Put that in there,

12 Jay?

13 MR. DIBILEO: I believe you said

14 previously on East Locust Street --

15 MR. BRZYCKI: How about those pictures

16 I gave, will you put that down there, the pictures?

17 MR. DIBILEO: Yeah, the 300 of East

18 Locust.

19 MR. BRZYCKI: I got more pictures. I

20 got a picture here of a city vehicle that is supposed

21 to pick up a washer that was dumped down there in the

22 parking lot of Family Garment.

23 And also I put a roof on my house this

24 year right, my father put a roof on in 1969, right, the

25 roof was done by Scranton Roofing, okay?

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40

1 I told the guy, I said, I need a roof,

2 right? He said, Well, John, you definitely need a
3 roof. I said, Okay. I said, Do it. He said, Come on
4 up, John, and take a look at this roof.
5 I ripped off the shingles. He said,
6 There's no plywood up on that roof. I said, What do
7 you mean there's no plywood?
8 I said, My father's got a bill here
9 from Scranton Roofing the he put plywood up on that
10 roof. I said, He paid \$1800 for plywood. He said,
11 There's no plywood up there, John, honest to God. Come
12 on, look at it.
13 So, I looked at it, it was a mess.
14 They put three sets of shingles on that roof and they
15 didn't put no plywood on that roof.
16 MR. POCIUS: Easy, easy. Now I paid
17 \$3600 more for plywood.
18 MR. DIBILEO: Thank you, Mr. Brzycki.
19 Mike Dudek.
20 MR. DUDEK: My name is Mike Dudek, 608
21 Depot Street, Scranton, Pennsylvania, the Plot Section.
22 Your announcement at the beginning of the meeting kind
23 of knocked out about 80 percent of the questions I
24 wanted to ask about the hotel, because I'm very, very
25 leery about asking questions in which there may be

41

1 areas of possible litigation, so I'm just going to ask
2 you one question, back in June I asked Mr. DiBileo to
3 please work with the Mayor to do everything you could
4 to save this hotel, because this is a matter of primary
5 city business.

6 Now, in a normal operation of a
7 municipal government, the Mayor is the executive, he
8 sees an impending financial crisis coming, he will meet
9 with his department heads, and I would imagine on at
10 least on some sort of basis he should call you in to
11 talk to you to get your feelings, your insights,
12 perhaps other council members, maybe run into you on
13 the street.

14 I mean, I even ran into the Mayor in
15 the public library. My basic question is, Since
16 June 1, how many times has Mayor Doherty met with you
17 or talked to you about the hotel project from, say,
18 June 1, until the vote taken Wednesday?

19 MR. DIBILEO: Well, Mr. Dudek, we had a
20 joint meeting together, along with several lawyers and
21 members of Spectrum, the first mortgagee on the hotel,
22 and we had one telephone conversation, but we are

23 working together on trying to keep the hotel open and

24 make it successful.

25 MR. DUDEK: Okay. But there are lines

.

42

1 of communication open between you and the Mayor on the

2 hotel?

3 MR. DIBILEO: Yes.

4 MR. DUDEK: Thank you. At least now

5 there's something we can look forward to. Okay. Now

6 my second question is to Mr. Courtright, and I think

7 this one might seem like it's out of the blue, but when

8 you come down Interstate 81 coming down, say, from

9 Bunker Hill in Dunmore, you're going to make that merge

10 into Scranton Central Expressway, you know the road I'm

11 referring to.

12 I was behind a double tandem trailer,

13 Roadway, Incorporated, and one thing I know about

14 Roadway, the drivers from Roadway are Teamster drivers,

15 and Teamsters are notorious for keeping to the speed

16 limit. They generally don't go over 60 miles an hour

17 on an interstate highway.

18 And this driver was driving like your

19 typical Teamster driver, 55, 60 miles an hour, and I

20 can also tell you this driver was never in Scranton
21 before.
22 He's coming down 81, and all of a
23 sudden I could see his twin tandem, you know, truck
24 trailers almost jackknife, and then he straightened out
25 and he continued into town.

43

1 And the reason why he nearly jackknifed
2 is because when you're on 81, the speed is basically
3 60 miles an hour, as you make the curve, there is the
4 sign, 25 miles an hour. That driver was trying to
5 adhere to that sign. He was trying to slow the rig
6 down to 25 miles an hour, because the sign is there,
7 and then as you go, no more than about another 100
8 feet, then you see a sign that says 55 miles an hour.

9 Can we do something about getting rid
10 of that 25-mile-an-hour sign before somebody gets
11 killed there?

12 MR. COURTRIGHT: Mr. Dudek, I think
13 that's the state. We wouldn't have any --

14 MR. DUDEK: You have to talk to PennDOT
15 about that.

16 MR. COURTRIGHT: John says he has an

17 explanation for you.

18 MR. POCIUS: I'll try to make it very
19 brief, just so anyone in the audience knows, and you
20 know yourself, Michael, any sign you see in a black
21 lettering on a white background, that's a regulatory
22 sign, that's an enforceable speed limit, speed limit or
23 direction.

24 The sign you're speaking about is
25 probably black lettering on a yellow sign, that's an

44

1 advisory, it's just advising that you -- it's an
2 engineering-type-of-thing, because the curvature of
3 that ramp might be just slightly, you know, at that
4 point.

5 It's not saying you have to go 25 miles
6 an hour. It could be looked at. We'd have to send
7 your comments up to PennDOT, but that's who has
8 jurisdiction over the interstates, just to explain the
9 difference in the signing.

10 MR. DUDEK: But to a stranger coming
11 into town seeing it for the first time, you know --

12 MR. POCIUS: All black and white signs
13 are regulatory in all states in the Union, and yellows

14 and black signs are advisory signs. They come out of
15 the same manual.

16 MR. DUDEK: But when I saw that happen,
17 I thought I better mention it here first, because I
18 thought we cover it. Thank you.

19 MR. DIBILEO: Thank you, Mr. Dudek.
20 Erik Johnson.

21 MR. JOHNSON: Good evening, City
22 council and staff.

23 MR. DIBILEO: Good evening.

24 MR. JOHNSON: Erik Johnson, Scranton,
25 Pennsylvania, taxpayer. City council repeats meetings
.
45

1 on Channel 61 are now cut back from Monday to Sunday as
2 of now.

3 Four years ago, Jay, the city clerk and
4 Mark Walsh, the City council Solicitor and Attorney
5 were appointed to their new jobs with a substantial cut
6 of wages that were paid to the past administration,
7 city clerk and city council solicitor, attorney wage
8 scale.

9 Mark and Jay have done an incredible
10 good job answering tough questions and handling

11 disputes concerning City Council matters and more
12 numerous objections than the past officials.
13 Attorney Walsh has been, as I have
14 observed, done his job here at City council chambers
15 and outside the chambers in numerous researches of
16 questions and complicated dispute issues that he took
17 on and solved; in fact, he knew a lot of the questions
18 and answered them with an excellent demeanor and
19 unbiased committed answering way.
20 There never was a question by a council
21 member or a citizen speaker that Mark and Jay left
22 unanswered. The both of them, Jay and Mark should be
23 rewarded for their high standard merits to be paid the
24 exact wages that were paid to the past administration
25 City Council Solicitor and clerk wage scale.

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1 I would like to ask if they may, that
2 the City council propose and table this before the
3 November 8 elections.
4 I cannot see why that as of now, after
5 four years of excellent City council services, which
6 includes citizens write-ins, calls and letters from
7 outside the chambers speakers, to not receive their

8 overdue merit raise to at least close to what the past

9 City council administration wage.

10 And I hope that they will be kept

11 after the -- kept as clerk and solicitor in January

12 under the new council members.

13 Question for the City council, can you,

14 if you may, propose and table this suggestion manner?

15 MR. DIBILEO: I'm sorry, Mr. Johnson?

16 MR. JOHNSON: Could you table or could

17 you propose or table this matter, suggested manner?

18 MR. DIBILEO: On the Hilton?

19 MR. JOHNSON: No, no.

20 MR. COURTRIGHT: I think you're trying

21 to say give them a raise, is that what you're trying to

22 --

23 MR. JOHNSON: Yes, yes.

24 MR. COURTRIGHT: We have to wait for

25 the budget. We tried to give them a raise, they didn't

.

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1 let us last time.

2 MR. JOHNSON: When does the budget --

3 MR. COURTRIGHT: It will be coming up

4 soon.

5 MR. POCIUS: November 15.

6 MR. JOHNSON: Well, all right, during

7 the budget time.

8 MR. COURTRIGHT: Yes.

9 MR. JOHNSON: You could?

10 MR. COURTRIGHT: We can ask.

11 MR. JOHNSON: Ask?

12 MR. COURTRIGHT: Well, we tried to put

13 it in last year, we got shot sown .

14 MR. JOHNSON: Oh, boy. That's politics

15 for you.

16 Other city matters, I don't think it

17 would be fair and justified to take a write-in opposite

18 party nominee who had won in the primaries for that

19 particular party spot off the primaries -- I mean off

20 the general elections in November for the mayor's

21 ballot.

22 We do have state laws of Pennsylvania

23 besides federal laws that are at times indifferent from

24 each other. It's a close, close race, and it may be

25 decided on the opposite nominee voters, which are

.

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1 Republican voters, who may be your next Mayor.

2 The Democrats are split and the
3 Republican voters are rumored to be the majority
4 conservative voters in every kind of election, and by
5 the percentage wise of their registered voters are
6 smaller, but efficiently higher than Democrat
7 registered voters.
8 So, candidates don't do what you're
9 going to be sorry for and not do what you should do and
10 be sorry for not doing so before the November 8
11 election.
12 Also, if every Democrat registered
13 voter was loyal to the party like the Republican
14 registered voters, predictions of elections of every
15 kind would be a lot easier to predict.
16 As of now, it's a close, close race for
17 the Mayor of Scranton, and whoever shoots himself in
18 the foot first just before election time will surely
19 lose the election for Mayor. Thank you.
20 MR. DIBILEO: Thank you, Mr. Johnson.
21 Thank you very much. Lee Morgan.
22 MR. MORGAN: Good evening, council.
23 The first thing I have here is that I think that that
24 caucus should have been open, whether there was a
25 threat of pending litigation or not, because in my

1 humble opinion, and I'm not an attorney, nothing is
2 pending until it's filed, and I really think what's
3 going on here are bully tactics and politics at play.
4 And council may not appreciate what I'm
5 going to say, but, you know what, I'm going to stand on
6 Freedom of Speech on this issue and say this, that it's
7 all politics, every drop of it, okay?
8 Asking any question which many put the
9 cobash to this agreement is the kiss of death to
10 anybody who asks that question, okay?
11 This agreement cannot possibly go
12 forward, there's no way this agreement can go forward.
13 You know something, I spent over an hour today in
14 Council reading through those boxes. I have no idea
15 why payroll information is even in there.
16 I mean, I didn't see the whole
17 subpoena, okay, but I don't think we were asking
18 questions on whether the people who built the hotel
19 were being paid, I think we were asking other financial
20 questions.
21 I find that what's going on here is
22 that an organization from Delaware, and I'm not --

23 that's where they're from, okay, and it wouldn't make
24 any difference to me if they were from Scranton or
25 Washington, DC, but they have a \$12,600,000 investment
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1 in this structure. The residents have a lot more than
2 that in this structure, okay?

3 The State of Pennsylvania and the city
4 are out \$13 million, and I just think the timing of
5 this agreement and the timing of this coming through
6 council is the wrong time.

7 It has to come through Council after
8 the election. This is not an issue that should be
9 propelled through the city in a campaign year, not when
10 there's so much riding on this election and so many --
11 the city is being split in two camps, one for Mr.
12 DiBileo and one for Mayor Doherty, and I don't think we
13 can have an open conversation on this, not a
14 legitimately open conversation on this issue, okay?
15 We've given them enough. As previous
16 speakers here have stood and spoken -- - and I have to
17 say this, you know what, you can talk about the
18 Constitution all you want, I'm a firm believer in it,
19 you can talk about all our rights, I believe in every

20 single one of them, but you know what, if you don't
21 exercise them, you don't have them.
22 The residents have to stand up and say
23 they've had enough, okay, and demand that this be moved
24 to after the election . Things have to be thought out.
25 I can't possibly see how anybody, no
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1 matter how gifted your solicitor is, can go through
2 nine boxes of files, honestly, and give you a good
3 opinion. You have to the 26th; s that right? Do you
4 have until September 26?

5 MR. DIBILEO: Yeah, which is Monday.

6 MR. MORGAN: Do you honestly, Council,
7 feel that your solicitor can give you the right legal
8 opinions for this and go through those nine boxes of
9 files in that time?

10 And I think that Spectrum is playing
11 the bully on the block. They want to sit down with
12 every group separately, privately, the school board,
13 the county and the city, and just selectively pound the
14 living whatever you want to call out of you. How much
15 more can we give them, okay?

16 Now, I'm going to say this, the school

17 district is in a crunch here taxwise. We know that all
18 the residents in this city are in a crunch. Are we
19 going to put all this debt back on the residents?
20 We know the conditions of our
21 neighborhoods. They're terrible, okay?
22 And you know what, I'm not visiting
23 that all on the Mayor. Some of it is his
24 responsibility, some of it comes to this council and
25 previous Councils, because there's a lot of things that
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1 could have been done differently here, they weren't,
2 and we're going to have to deal with the situations as
3 they present themselves.
4 But really, table this. If they're
5 going to sue us, let them sue us. I personally don't
6 think they have a leg to stand on. They had parking,
7 they had all the tax exemptions. They were non-profit.
8 If you're in business and you're a non-profit
9 organization and you can't stay in business, I don't
10 know what to tell you.

11 MR. COURTRIGHT: Mr. Morgan, we
12 discussed that also at our meeting, they are not
13 non-profit. And to the best of my knowledge, they

14 never have been non-profit. We also asked that
15 question in the meeting.

16 MR. MORGAN: If you go back and you
17 look at council when Mr. Murphy was on Council, they
18 voted to make them non-profit.

19 MR. DIBILEO: Yeah, that was the
20 previous owner --

21 MR. MORGAN: Absolutely.

22 MR. DIBILEO: -- prior to Spectrum
23 coming in. Right now there's no non-profit
24 organizations at all involved in --

25 MR. MORGAN: No, but what I'm saying to
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1 you, and I agree, but what I'm saying to you is this,
2 that hotel was non-profit and they couldn't make it,
3 okay, where they mismanaged, whatever happened, they
4 have LERTA, they had the \$10 million state grant, they
5 had the \$3 million from the city. We gave them
6 everything. How much more can we give?
7 Don't you think the children in this
8 city deserve an education? Don't you think that the
9 residents in this city deserve help with their tax
10 base? Don't get bullied into something. Stand up.

11 Thank you.

12 MR. DIBILEO: Thank you, Mr. Morgan.

13 Bill and Shannon Lesniak.

14 MS. LESNIAK: Good evening, Council.

15 Hi. I'm Shannon Lesniak.

16 MR. LESNIAK: I'm William Lesniak.

17 MS. LESNIAK: And we're here just to

18 talk about -- we're residents of South Scranton and we

19 just kind of want to make an appeal and just let your

20 viewers know something, basically a little while ago we

21 got an opportunity, we were residents of West Scranton

22 and we got an opportunity to get a home in South

23 Scranton.

24 We'd like to address some of the bad

25 rumors that are going around about South Scranton. We

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1 moved there a couple months ago. When we got this

2 opportunity to buy the house, we were a little wary

3 because we had heard all of these rumors, and so we

4 were a little nervous about it, but then we heard -- we

5 also heard about a plan for the revitalization of South

6 Scranton.

7 We were also very excited about the

8 potential of that area. When we heard about this plan
9 we thought, Oh, that's great, because the potential of
10 that area, the Cedar Avenue area, things like that,
11 could be so great and also the potential of the house
12 that we were looking in to buying into, and also the
13 convenient location into downtown Scranton. This is in
14 the 300 block of Pittston Avenue.

15 So, also we've seen and we've been very
16 impressed by a lot of the progress that we have seen in
17 a lot of the neighborhoods. I know people are saying
18 that the neighborhoods are deplorable, I'll tell you, I
19 lived in West Scranton and South Scranton, and there's
20 very nice areas in all these neighborhoods, as well as
21 we've seen the improvement in the Providence Section of
22 North Scranton, of the Hill Section, of Nay Aug and
23 many of our parks, and even, like, a lot of the
24 businesses making long-term investments into Scranton.

25 So, with that in mind, we decided that

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1 we wanted to go ahead and move there. We have the
2 faith and the trust in this administration that they're
3 going to go ahead with this plan, so we decided to go
4 ahead and invest in this property, and I got to tell

5 you, we're really happy we did.
6 We've lived there for two months, and
7 you know, there's no secret that, you know, there's
8 room for improvement in our neighborhood, but our
9 neighbors, we've got fantastic neighbors, great
10 neighbors who care for their home, care for their
11 lawns, care for their property, care for their
12 neighborhoods.
13 They were extremely curious about who
14 that couple was that's finally moving into that, you
15 know, long vacant mysterious green house on their
16 street, and it's just been a great experience, and I'm
17 really sad to see that a few bad seeds in our
18 neighborhood scare people away from this neighborhood.
19 And we are South Side, we are what's
20 moving into South Side, and we wouldn't let a few bad
21 seeds scare us from the great potential and opportunity
22 that South Scranton has to offer, and we've been really
23 impressed, you know, we want others to do the same, we
24 want others to do the same, and we want -- we're really
25 excited and we see all this progress in Scranton and we
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1 see how it's spreading, and I'm proud of South Scranton

2 and we're excited that South Scranton is going to be a
3 part of it. Thank you very much.

4 MR. LESNIAK: Thank you.

5 MR. DIBILEO: Thank you, Bill and
6 Shannon. Lisa Lowry.

7 MS. LOWRY: Lisa Lowry, Scranton

8 resident. First I would like to thank council for
9 their help in getting supplies to the Hurricane victims
10 in Mississippi and the Gulf.

11 I would like to thank Mr. Bolus, he was
12 kind enough to take everything on his trucks to where
13 they needed to go, but tonight I wanted to speak about
14 something totally different, the gang situation
15 particularly in the Hill Section.

16 While I realize that Chief Elliott does
17 not want to give them the recognition that they want,
18 the people who live with their violence need to be
19 aware of what is really happening.

20 The police who answer our calls say
21 there are gangs, how dangerous they are and that you
22 are not to confront them.

23 I am probably putting myself and my
24 family in more jeopardy by speaking out tonight, but a
25 stand must be taken. Even when they are arrested, they

1 are quickly released and back on the streets.
2 In the meantime, these so-called
3 non-gangs are getting more organized and bragging about
4 bringing more members in from out of town. There seems
5 to be no way to protect us against them on the streets
6 or in our schools.
7 They sometimes are on school property
8 or they lay and wait a block or so from the schools to
9 pick on children weaker than they.
10 Also businesses in the Hill Section are
11 starting to suffer from lack of customers because they
12 hang around outside and they frighten the older people
13 away.
14 On September 2, our lives were turned
15 upside down because of two different, both related, we
16 had to relocate three of our children, while the
17 non-gang members are roaming the streets.
18 I have with me petitions, copies of
19 police reports, which we can find at City Hall. A 911
20 call from the Steamtown Mall was never filed.
21 There they cornered a child in
22 Footlocker and police had to come and chase them away

23 and rescue the child from them.

24 All systems seem to be failing our

25 children and ourselves, the residents of Scranton.

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1 While these same gang members have been seen with guns,

2 box cutters and are under investigations for crimes

3 ranging from petty mischief to violent assaults, they

4 still remain at large.

5 This is not a matter of race or creed

6 or clothing attire or personal appearance, which I was

7 rudely accused of doing yesterday, but groups of males

8 and females calling themselves gangs, a gang regardless

9 of color or creed. There must be a solution to this

10 volatile situation that can only end in tragedy if

11 nothing is done to stop it. Thank you.

12 MR. DIBILEO: Thank you, Lisa.

13 Appreciate that. Bill Moran.

14 MR. MORAN: Good evening, Council. If

15 I could approach for a moment.

16 MR. DIBILEO: Thank you. Gentlemen, I

17 come here tonight to talk about division. I think

18 that's an issue that this city is facing right now, we

19 have union versus union, union versus non-union, you

20 have the DiBileo taxpayers who get called crazy versus
21 the Doherty cronies who write in the paper, so we've
22 got all these groups fighting against each other.

23 What it comes down to is leadership,
24 and I've been very disappointed in what I've seen.

25 True leaders lead, they don't divide. It seems if you

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1 support somebody in this town, you either support the
2 right candidate or the wrong candidate.

3 If you support the right candidate,
4 things get done for you, if you support the wrong
5 candidate, things don't get done for you.

6 A sad fact of what I've just shown you
7 in the pictures, and for the audience who hasn't seen
8 the pictures, they represent DPW workers working on
9 private land using DPW trucks that were paid for by the
10 taxpayer.

11 I want to state emphatically, I don't
12 blame the neighbors, they're good people, they're
13 hardworking, they're trying to build a home in the
14 city. They've done nothing wrong, other than accept
15 help that they shouldn't have accepted, and I think it
16 was forced on them with the idea that something else

17 would be given in return, and I think we can all guess

18 where that came from.

19 As I said, I blame the leadership.

20 When you give out political favors, you develop an us

21 versus them mentality. It's just wrong. It's wrong

22 across the board.

23 The idea that if your candidate sits on

24 top, you get things done like in those pictures. It's

25 not right. It's my money, too.

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60

1 It leads to mean vindictive fights in

2 neighborhoods, people blame their neighbors when they

3 get caught doing these things, they go after them and

4 they try to punish them, when the fact is they did

5 something wrong.

6 We need to unite this city, we need to

7 bring ourselves together, we need to stop giving out

8 these political favors, we need to stop letting this

9 sort of thing happen. Favors are dividers.

10 Our own Constitution demands that all

11 men be treated equal. Those pictures show that

12 somebody was treated more equally than some others.

13 I didn't mean to bring these pictures

14 here to divide anyone, I meant to bring those pictures

15 here to find out who sent those trucks up there and to

16 make sure that they're chastised for it.

17 I have a pretty good idea how they got

18 there and why they got there. When we divide a city,

19 we all lose. Those trucks should have been someplace

20 else.

21 I had the displeasure of walking the

22 Davis Trail this summer. I saw sewage running across

23 the trail, I saw ruts, the same time that I saw those

24 trucks in a yard where they shouldn't have been.

25 Like I said, I don't blame the

.

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1 neighborhoods. If somebody offers you help, I guess

2 you take it, but there's always a promise behind it.

3 And the sad part about it is, if they

4 had asked, I would have been the first one there to

5 help them take care of the issues that those trucks

6 had, done because it's my choice then, it's not my tax

7 money.

8 What it comes down to is, if we're

9 going to move this city forward, we're going to need

10 somebody who can take this city and bring it together,

11 not somebody that hands out favors and plays the status

12 quo like we have for so many years.

13 I just have one other question off the

14 subject a bit, the Ripple Avenue project with the new

15 sewers, maybe Mr. Pocius could answer this, how is that

16 coming, is that done?

17 MR. POCIUS: I'm not following it, but

18 I have seen a lot of -- I haven't seen any construction

19 activity lately. I've seen the streets resurfaced in

20 the areas where the pave cuts were, and I would have to

21 assume if it's not totally completed, it's -- I travel

22 that way every day. I would say it's 99 percent done.

23 MR. MORAN: Something like that, how

24 much does that run, just out of curiosity?

25 MR. POCIUS: Bids were received. I

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1 don't know exactly what that was.

2 MR. MORAN: Is there some -- just a

3 general rate per foot for municipal sewers, something

4 along that line?

5 MR. POCIUS: It all depends on the

6 conditions, the depth, how many manholes or whatever

7 you'd have to put in the extend -- the type of

8 excavation you encounter. I mean, there's no real

9 cost.

10 MR. MORAN: Okay. Well, thank you.

11 Thank you.

12 MR. DIBILEO: Thank you, Mr. Moran.

13 Mr. Moran, just to comment, if that's private property

14 in those photos, it certainly would seem to indicate

15 just what you're saying, so I will ask for a meeting, a

16 personal meeting with George Parker, the DPW chief,

17 show him these photographs and get an answer from him

18 on exactly what's involved in those photographs.

19 MR. MORAN: I would appreciate it,

20 because as I said, if I were asked as a neighbor, I

21 would have been glad to gone out and done the work the

22 DPW did, but the whole idea is, it would have been my

23 choice, as opposed to using my money without my choice.

24 Thank you.

25 MR. DIBILEO: Thank you. Dick Laske.

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1 MR. LASKE: That's my neighbor. That's

2 a tough act to follow. And I've got to be nice because

3 he drove me here. Okay. Good evening, ladies and

4 gentlemen.

5 MR. DIBILEO: Good evening.

6 MR. LASKE: I have a few points I'd

7 like to make tonight. One thing is, and this is stuck

8 in my craw, this Northeast Credit, I don't know how

9 long ago, but a black gentleman came, no offense, sir,

10 and a white lady, and she's talking about all the go

11 iod things Northeast Credit is doing.

12 Well, I happened to be in council

13 chambers the night that Mrs. Chase was forced almost

14 into tears because of this Northeast Credit.

15 They're not helping us, because if you

16 look at all the money that's owed in taxes and if you

17 add 25 percent on that, if somebody'd give me this kind

18 of money, I'd have a Cadillac Escalade down, I'd be

19 heading to Canada fishing.

20 I mean, they're milking us, it's as

21 simple as that. I know why they got where they did,

22 but I can't say, okay? But when it comes up for a

23 vote, I'll be back before then, and I think they should

24 be taken off the job.

25 We have people downstairs who do a

.

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1 superb job. Let them collect their taxes and get rid

2 of Northeast Credit. Work for the taxpayers, not

3 against them.

4 Now, I had this wrote down, but Mr.

5 Sallusti or whatever his name was came, I know his dad,

6 he painted a real rosy picture, in fact, I just bought

7 these glasses, but I'm taking them back up to Penney's

8 and I'm going to get rose colored ones so that I can

9 view this city as some other people do, you know?

10 What I can't -- what I can't

11 understand, like, there's people talking about all the

12 money that's coming in the city with transfers and this

13 and that and the other thing, well, if that's the case,

14 we should be rolling in money, and whether we are or

15 not, I don't know, I'm not the county treasurer, but

16 the way I saw it, at least what I wrote down before I

17 came down here this evening was, we're in debt, we're

18 in big debt, we're in debt until the year of 2033,

19 that's 28 years from now, which means that the next

20 seven mayors of administrators are going to have a

21 burden over their head.

22 Now, I was led to believe that when

23 this Mayor took office there was a surplus. We don't

24 have it anymore. I wish somebody could tell me we do,

25 but I'm inclined. I'm inclined to agree with Mr.

1 Courtright, I'm getting a little gun shy.

2 I've heard a lot of things pro and con

3 and back and forth, but I mean let's be realistic, it's

4 -- I don't know, it's tough.

5 Now, let me just say this, if the

6 administration is such a union supporter, and I carried

7 a union ticket a lot of years, I carried a union ticket

8 when some of those gentlemen were a gleam in their

9 dad's eye.

10 If he is such a union supporter, why

11 don't he bring back the 16 clerks that he furloughed?

12 They're union, too.

13 They carried a union ticket, the same

14 as Teamsters, Ironworkers. I was a Boiler Maker and

15 the reason I was a Boiler Maker, as opposed to a pipe

16 fitter is we got \$2 an hour more.

17 And it's funny things about a spark

18 when you're welding, they don't hurt any more for \$2 an

19 hour more than they did for \$2 an hour less, they still

20 hurt, but why not take home? I didn't go to work to

21 wear out my old clothes, I went to work to make a

22 living.

23 But there's a lot of things that could
24 be done. And I mean, as far as this hotel, I'm running
25 afraid. I just hope there's some good can come out of
.

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1 it, because the way I see it at this point is, I really

2 don't know, I don't know.

3 I mean, like, what they're doing down

4 there, in my opinion, is they're giving you two pails

5 of ashes for a pail or coal.

6 Like, if they can sell it for \$35

7 million, they're going to give \$3 million back to the

8 city. Now, chances of that becoming reality, if

9 there's any bookmakers here, I'm giving ten to five

10 right now that it will never happen. Thank you and

11 good night.

12 MR. DIBILEO: Pat O'Shea.

13 MR. O'SHEA: Good evening. I'm not a

14 Scranton resident, I am a property owner, and I'd like

15 to say thanks to Mr. George Parker.

16 I notice an awful lot of negativism on

17 the paving, however, I have been seeking from the

18 previous administration for many years to have my

19 block, the 800 block of Quincy, paved, and kept getting

20 excuses.

21 Soon after the administration came into

22 office, Mr. Parker appeared before the Hill

23 Neighborhood Association, and I spoke to him and asked

24 about getting that block paved.

25 He didn't give me, like some of the

.

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1 others did, just an answer, Well, it will be done next

2 year, he said he would do it when he could and he was

3 looking into getting K funds to do it.

4 He explained that for some reason the

5 average salary on the block was too high, something

6 that baffles me, if you pay high taxes, you cannot get

7 money under these certain circumstances; however, it

8 has been done, he did get the K funds, and my

9 congratulations to him, especially because of these

10 circumstances when he was first hired, there was an

11 awful lot of parochialism about his abilities and his

12 not living in the City of Scranton, and it was remarked

13 that somebody that good certainly could be found in the

14 city.

15 But if everyone recalls, the very day

16 after taking office, we had a heavy snowstorm, and he

17 got twice as much snow removed for one-half the cost.

18 He's done that. I think on a regular basis we used to

19 see complaints and different problems with the DPW, I

20 think on a weekly basis, we don't see that any more.

21 I think the man is an asset to the city

22 and has done a lot of good things in many different

23 areas, in spite of all the negative rhetoric when he

24 first came on board. Thank you.

25 MR. DIBILEO: Thank you, Mr. O'Shea.

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1 That's if for the sign-in sheet. Are there any other

2 speakers?

3 MR. DAVIS: Assalaam Alaikum. I was

4 wondering, is there somewhere that we can find

5 information? Assalaam Alaikum, some little girl asked

6 me today, what does that mean? And I said, Peace and

7 blessings of Allah be with you.

8 But why do you say it in front of the

9 City council? And I said, Because I'm hoping that what

10 I say is God's will and pleases God, and it also

11 pleases the council at the same time, that they will do

12 things for you, to us.

13 This election has caused a great deal

14 of uproar in the community. For some reason or
15 another, it doesn't spark the minorities, they don't
16 seem to be either pro or con. They seem to have come
17 to a point they've seen this act before and reality and
18 truth is not being spoken, because so many times
19 they've heard the same political speeches over the last
20 ten years, 20 years, and found out what occurred after
21 the political speeches was a totally different story.
22 So, therefore, they don't really want
23 to be involved. It's very difficult to get them to
24 register to vote, I'm telling you.

25 You have to come up with something, and

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1 they're watching to find out what are you saying.
2 Finally they got to a point where they want to
3 understand what you are saying so that they can teach
4 their children how to vote, because we've lost a lot of
5 blood. I've said this before, maybe you have, too.
6 I'm quite sure, since there's more
7 white people in Scranton than there are black, you've
8 lost a lot more blood than I have. I mean, you can
9 talk about your relatives laying in the cemeteries
10 around here for years and years and years, but I'm

11 saying to you like this, our relatives lie there, also.
12 And I came across a problem last week
13 where they said they're going to close off Adams Avenue
14 from dawn to dusk, from dusk to dawn, and I'm
15 wondering, Jay, perhaps you can help me with this, in
16 1970 or 1971, there was an agreement with the City,
17 Scranton neighborhoods and the school board where the
18 property was either deeded to the school board or it
19 was deeded to the community and the hours were
20 unspecified.

21 Is there a chance that there might be
22 somewhere in our files or in our back files somewhere
23 microfiche or whatever it might be, this information?
24 I'll give you the date.

25 MR. SAUNDERS: I can check into it.

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1 I'm not 100 percent sure what you're talking about. I
2 mean, if you can break that down a little bit more for
3 me. You said Adams Avenue --

4 MR. DAVIS: The 700 block of Adams
5 Avenue. It starts from Pine Street.

6 MR. SAUNDERS: Who said they're going
7 to shut it down?

8 MR. SAUNDERS: SRA. Oh, who said it

9 now?

10 MR. SAUNDERS: Yes.

11 MR. DAVIS: Scranton School Board.

12 MR. COURTRIGHT: They're going to shut

13 the street down?

14 MR. DAVIS: Yes, from dusk to dawn.

15 MR. COURTRIGHT: The street?

16 MR. DAVIS: The street itself.

17 MR. COURTRIGHT: Oh, Mr. Davis, I don't

18 think the Scranton School Board is going to shut the

19 street --

20 MR. DAVIS: Well, there's no street

21 there now at all, it's only a sidewalk.

22 MR. COURTRIGHT: Well, how could they

23 shut it down if it's not there?

24 MR. DAVIS: They're saying -- they put

25 signs up on the building. Go up there and look. I --

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1 MR. COURTRIGHT: You lost me.

2 MR. DAVIS: There are signs on the

3 building of Tech High School or the old Tech High

4 School, Northeast --

5 MR. COURTRIGHT: You're talking about
6 -- you're talking about that street, you're talking
7 about that play area there.

8 MR. DAVIS: I'm talking about the
9 sidewalk that walks through it, it used to be Adams
10 Avenue. Adams Avenue used to extend itself.

11 MR. DIBILEO: Well, look into it, Jay,
12 and see what you can find out for us.

13 MR. SAUNDERS: Okay.

14 MR. DIBILEO: We'll look into it, Mr.
15 Dave.

16 MR. DAVIS: It's a problem. That's a
17 problem. It's a problem for us.

18 MR. DIBILEO: So, you're talking about
19 a curfew.

20 MR. DAVIS: They're talking about a
21 curfew, right. It's a curfew law now. From dusk to
22 dawn, you can't be on the property. It's trespassing
23 if you are.

24 MR. COURTRIGHT: Mr. Davis, that's the
25 school district, though, that's not the street. I

.

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I don't want to get into this with you, but --

2 MR. DAVIS: It used to be a street,
3 sir. We used to live -- I used to live a half a block
4 off it. It used to be an avenue. It was Adams Avenue
5 at one time.

6 MR. DIBILEO: But now it's school
7 district property.

8 MR. DAVIS: Now they're saying it's
9 school district property, and I'm wondering when was it
10 deeded to the school district.

11 MR. COURTRIGHT: We'll have to ask the
12 school district that I guess, right?

13 MR. WALSH: And also, if the property
14 was indeed deeded to the school district and they hold
15 title to the property, it would be up to them as to
16 whether or not they want to set a curfew, so my
17 suggestion and recommendation would be to speak to
18 them.

19 If in essence they were given a deed by
20 the city, then the city probably has no ability to tell
21 them what to do with their own property. So, I would
22 suggest speaking to the school district.

23 MR. DAVIS: I did speak to the school
24 district about it.

25 MR. SAUNDERS: Mr. Davis, I'll call

1 Harry McGrath on that tomorrow and discuss that with
2 him. I'm sure he knows --

3 MR. DAVIS: Excuse me?

4 MR. SAUNDERS: I'll talk to their
5 solicitor about that.

6 MR. DAVIS: Would you talk to SRA
7 solicitor, also, because I think they had the files.

8 MR. SAUNDERS: I will do that, too.

9 MR. DAVIS: I have not been able to get
10 them from him yet.

11 MR. SAUNDERS: Thank you.

12 MR. DAVIS: Because that's why, I need
13 documentation, and this battle that you fight with
14 people, since this institution of school boards and
15 things, you need documentation, it's the only way, and
16 I have some documentation, but I need that particular
17 document, because the city signed off on it, Scranton
18 neighbors signed off on it and the school board signed
19 off on it, and I'm wondering why was it that I thought
20 that the community had equal rights there after the
21 school was out, until last week.

22 MR. DIBILEO: Okay. Well, Mr. McGrath

23 may know, Jay, so you can speak to him and find out.

24 MR. DAVIS: He's the lawyer?

25 MR. DIBILEO: Yeah, he's the school

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1 board solicitor.

2 MR. DAVIS: Oh, well. Thank you very

3 much.

4 MR. DIBILEO: Thank you.

5 MS. WILLIAMS: Good evening, Council,

6 Joanne Williams, Scranton homeowner and taxpayer.

7 I would like to refer to a letter I

8 read on the editorial page in the Scranton Times

9 written by a Miss Wade.

10 Back in 1998, Governor Ridge placed

11 sanctions on our city under Mayor Connors. Mayor

12 Connors failed to follow recovery plan under Act 47.

13 This cost our city millions of dollars in state aid.

14 Less than a year after Mayor Chris

15 Doherty took office, Governor Mark Schweiker lifted the

16 sanctions. Why? Because of the leadership of Chris

17 Doherty, who he called a gutsy Mayor, and also the

18 leadership shown by that year's City Council, the

19 overwhelming referendum vote on the recovery plan.

20 By lifting the sanctions, Scranton
21 became eligible for millions of dollars of previously
22 withheld state grants.
23 Some of the projects taken place by the
24 sanctions being lifted are Market Street Bridge,
25 Providence Square, the recycling grants totalling \$2

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1 million, \$20 million in state grants for the
2 revitalization for the 500 block of Lackawanna Avenue
3 and the North Scranton project.
4 Governor Shweiker, a Republican, and
5 Governor Ed Rendell, a democrat, think Mayor Doherty is
6 doing a fantastic job and doing fantastic things for
7 the city; in fact, council President Gary DiBileo,
8 Mayor Doherty's opponent, told The Scranton Times in
9 January 2003, that the Mayor was working hard for the
10 city.
11 Scranton voters should be proud of the
12 progress we've made during Chris Doherty's first term.
13 We should also realize that Mr. DiBileo has no message
14 for voters and has no plan for running the city.
15 If you want to continue to move our
16 city forward, we should support the candidate with a

17 clear vision for Scranton's future, Mr. Doherty.

18 Also, in closing, Mr. DiBileo, every

19 week when you start the council meeting you start it

20 with the statement there will be no personal attacks;

21 am I correct?

22 MR. DIBILEO: Yes.

23 MS. WILLIAMS: Did you state that?

24 MR. DIBILEO: Yes.

25 MS. WILLIAMS: Last week you allowed

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1 your sister-in-law to personally attack me by using my

2 name several times. Conveniently Attorney Walsh wasn't

3 in the room.

4 A few weeks ago you witnessed Attorney

5 Walsh stop a speaker after he used my name twice; do

6 you remember that, Mr. DiBileo?

7 MR. DIBILEO: Not really.

8 MS. WILLIAMS: Okay. I don't

9 understand why you can't follow the rules of the

10 speakers here, the rules you make.

11 Must you have family members fight your

12 battles? You let anyone in favor of you speak longer

13 than five minutes, you let your selective few speak

14 away from this podium when you have chastised me.
15 When you've asked me, that's why I
16 leave. In the past you have asked me questions and I
17 have left this podium, and I've tried to respond, and
18 you told me my time was up, but you do not do that for
19 your selected few.
20 Also in closing, I'd just like to say
21 -- and also I see that you have Janet Evans answer all
22 your questions, I think it's time you stop hiding
23 behind her skirt. Thank you.

24 MR. DIBILEO: Thank you, Mrs. Williams.

25 MR. NEWCOMB, JR.: Good evening,
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1 Council. Charlie Newcomb, homeowner and taxpayer.
2 It's a tough act to follow, but I'll do my best.
3 I just think if people say that people
4 shouldn't personally attack people up here, I think
5 they need to follow what they say, because -- I don't
6 want to go there, it's a waste of time.
7 I just want to let everybody know that
8 there is a special meeting with the school board on
9 this issue with the Hilton on Monday the 26th at 7:15.
10 I wasn't able to attend the hearing that you had here,

11 and obviously we weren't able to attend the closed-door
12 session, but I'd like to give my two cents on it and
13 say, As long as they give us our \$3 million back, it
14 really doesn't matter to me what happens to that
15 building.

16 We can't afford to lose any more money
17 in this city. I don't care what people come up here
18 and say, but I got a copy of that audit and it's in
19 black and white. To me, we're \$121 million in debt.
20 I also have the paperwork at home that
21 shows we had a \$2.9 million surplus when this Mayor
22 took office, so I don't know where some of these
23 numbers come from.

24 I also found that number very big, a
25 lot bigger than I thought it was going to be for the
.

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1 Summer in the City advertisement, \$45,944.63, is a
2 really, really, really high price tag for, in my
3 opinion, political advertisement for this Mayor.
4 I've been coming to this podium for a
5 long time asking that we get a quick response system in
6 this city or at least have AEDs in the police cars, and
7 with \$45,944 wasted in advertisement, we can buy a heck

8 of a lot of AEDs with that money and we can do a lot
9 more work with \$45,000, than show me where to go in my
10 city. I just think it's a disgrace and the people
11 should hold their head down in shame.

12 And let me just add to that, it's still
13 not a total yet, according to what Ms. Hailstone said,
14 it's going to be added to that because of the
15 billboards.

16 Well, I don't know if anybody knows how
17 much billboards are, but they're a heck of a lot more
18 expensive than banners are, so I think it's going to
19 grow and it's a shame what they're doing with our
20 money.

21 I would also like to ask the question
22 while I was on AEDs, Mr. Courtright, or if somebody
23 else can find out for me, if you can find out with Comm
24 Center, are they still being dispatched for any
25 emergencies within this city that people need them for,

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1 if we can find that out, I would --

2 MR. COURTRIGHT: I think what they're
3 doing is if somebody is in full arrest and they
4 dispatch a police car to the scene, even if it's a West

5 Scranton police car and they have the AED and the
6 person's in South Scranton, and the south car doesn't
7 have it, they'll dispatch them over to there.

8 And I looked today, because I figured
9 -- I knew there was a little bit of controversy about a
10 call recently, my understanding is that we had three
11 AEDS, and I believe this to be true, we only have two
12 now. One, I believe, is -- the cover or whatever is
13 cracked, and I'm not going to go any further, because I
14 don't want to get into one particular call.

15 MR. NEWCOMB, JR.: I don't want to
16 either, but can you -- I know what call you're talking
17 about, but can you find out if an AED was dispatched to
18 that scene, because I have conflicting reports that it
19 was and it wasn't and it --

20 MR. COURTRIGHT: I know police cars
21 were dispatched to that call. If any of them had an
22 AED on board, I'm not aware of, but I'll find out for
23 you.

24 MR. NEWCOMB, JR.: I was told that
25 there was two police cars there, but none of them had

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1 AEDs, so I'd just like to find out if that's true or

2 not.

3 MR. COURTRIGHT: It's possible, I don't

4 know, but I'll find out.

5 MR. NEWCOMB, JR.: Which goes on my

6 example before that we need a Quick Response System in

7 this city. This particular call that I'm talking about

8 is a prime example that we could have had an engine

9 company that has an AED that's equipped with an AED

10 literally less than a quarter of a mile away.

11 They could have been there probably

12 within a minute or two and they would have been able to

13 fiend the street, and for this Mayor to refuse to

14 implement this Quick Response System because he can't

15 have his own way with the fire department is a shame.

16 I would also like to know where's the

17 animal control officer? Do we have a backup?

18 MR. COURTRIGHT: I don't know what

19 happened. He's been out for quite a while, I guess

20 now, and I'm not quite sure why, and I do not believe

21 we have a backup, no.

22 MR. NEWCOMB, JR.: And, also, what is

23 being done with Price Rite on Luzerne Street? I came

24 down there yesterday, it smelled worse than the

25 landfill.

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1 MR. COURTRIGHT: I was going to bring
2 that up later. Jay, when is the date that they were
3 start being cited, do you remember?

4 MR. SAUNDERS: I believe it's the 26th.

5 MR. COURTRIGHT: So, very shortly if
6 the problem is not solved, they'll be cited.

7 MR. NEWCOMB, JR.: And Mr. Fiorini is
8 currently --

9 MR. SAUNDERS: Mr. Newcomb, before you
10 go any further, I received a phone call from Price
11 Rite, it's not actually Price Rite that is going to be
12 fined here, it's going to be the developer and the
13 person that owns that building over there, it's not
14 Price Rite that we're talking about, it's the
15 developer. I don't know the developer's name.

16 MR. NEWCOMB: Okay. Well, whoever is
17 responsible for it, it needs to be cleaned up, because
18 that's --

19 MR. COURTRIGHT: So, they have a couple
20 more days, I guess, and then if they don't get it done,
21 they'll start to be cited.

22 MR. NEWCOMB, JR.: What's going to

23 happen that Mr. Fiorini isn't in charge, is it -- now

24 another question that I was going to go on, is Mr.

25 Scopelliti in charge of that department now? I heard

.

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1 that, I don't know if that's true.

2 MR. COURTRIGHT: I've heard that, but I

3 don't know that for a fact.

4 MR. SAUNDERS: Mr. Scopelliti is

5 temporarily in charge of that office.

6 MR. NEWCOMB, JR.: And asking, I guess,

7 as a question regarding salary, if we can find this

8 out, what happens with his salary now, is he going to

9 be charged -- are we going to pay him to run the parks

10 department and that department or is he going to get

11 paid one salary that he got paid before, since he's

12 doing two jobs?

13 MR. COURTRIGHT: I don't know. I would

14 assume he's just going to continue to get his regular

15 salary, you know.

16 MR. NEWCOMB, JR.: I don't assume in

17 this city, so if you can ask, I'd appreciate it.

18 MR. COURTRIGHT: We'll ask.

19 MR. NEWCOMB, JR.: Did we find out

20 anything on the skateboard park that I asked last time,
21 did we get a response on that yet?
22 MR. SAUNDERS: I believe that question
23 was asked last week, yeah. When you ask a question on
24 Thursday night, sometimes we don't get to it until
25 Tuesday or Wednesday of the following week.

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1 MR. NEWCOMB, JR.: Okay.

2 MR. SAUNDERS: There's hundreds of
3 letters that come out of our office, so we haven't
4 heard anything back yet.

5 MR. NEWCOMB, JR.: Okay. And I'd like
6 to ask you, Mr. Pocius, are you going to bring up the
7 comment again -- the thing again this week about the
8 motion that you bring up every week?

9 MR. POCIUS: I had planned on doing it
10 again, but, Mr. Newcomb, in deference, I didn't want to
11 do it in Mrs. Evans' absence, so I will not make it
12 tonight, but I will make it next week.

13 MR. NEWCOMB, JR.: Okay. Then I'll
14 wait until next week to ask you the question that I
15 have to ask you. Thank you.

16 MR. DIBILEO: Thank you.

17 MR. MCANDREW: Good evening, Council,
18 Larry McAndrew, Scranton resident, Scranton taxpayer.

19 MR. DIBILEO: Good evening.

20 MR. MCANDREW: I come to you this
21 evening as Vice President Of The Scranton Lackawanna
22 County Taxpayers Citizens Association. This evening my
23 understanding there was a caucus held behind closed
24 doors. We, the people, should have had the opportunity
25 to hear what was mentioned at this caucus.

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1 My understanding of the opinion from
2 five lawyers that we, the people, do not count here,
3 our \$3 million is minor. What we're concerned about is
4 Spectrum.

5 Well, let me remind you, City Council,
6 that between the state government's grant of \$10
7 million and the city taxpayers money of \$3 million, is
8 a total of \$13 million we have invested into this hotel
9 project. We, the people, have a say into this.

10 I ask, and I request, that this City
11 council put this 7-E on hold tonight, let the public
12 have a public hearing that we can get input after the
13 election. What is the rush here?

14 MR. WALSH: Is that a question?

15 MR. MCANDREW: Yes.

16 MR. WALSH: I can answer that. And,

17 sir, again, feel free to ask any question that you'd

18 like with reference to the agreement that's attached,

19 because I'm perfectly capable and willing to answer any

20 questions that you might have.

21 With respect to the rush, the

22 foreclosure is going to take place on September the 27,

23 this coming Tuesday, and it's important for purposes of

24 the potential litigation that this take place, the vote

25 on this, prior to that date.

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1 You mentioned the \$3 million, on the

2 27, there will be a foreclosure sale. Spectrum, who

3 holds the first lien, will be foreclosing on its

4 mortgage.

5 At the time it forecloses on its

6 mortgage, it will rub out or do away with or expunge

7 any junior lien that's there.

8 The lien held by the City of Scranton

9 is a junior lien, it will be expunged on that day.

10 Pursuant to the agreement which is attached, which is

11 public record, you can ask any question you'd like
12 about that, pursuant to that agreement, Larry, we have
13 a possibility of someday recovering something.
14 Now, if it weren't for that agreement
15 and the foreclosure goes through, we would have
16 absolutely no ability at all to recover our \$3 million,
17 because we are a junior lien creditor.
18 As you may recall or as you may know, I
19 think the city subordinated its \$3 million to the lien
20 of Spectrum when they came and loaned the \$12.6 million
21 some years ago, you know, in the hope that the hotel
22 would work.
23 With respect to the \$10 million that
24 you mentioned, a grant was given. The purpose of the
25 grant was to assure the City of Scranton and the
.

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1 citizens that reside therein a quality hotel at the
2 intersection of Adams Avenue and Lackawanna Avenue.
3 Well, if you drive along that street,
4 the quality hotel is there, the purpose and the reason
5 for that grant have take place and the hotel is there,
6 so the grant has been realized and the hotel has been
7 built.

8 So, the issue comes down to our \$3
9 million, if that's what you're referring to, sir, and I
10 would agree with you that it's a sad day when you lose
11 \$3 million, but the agreement give you the potential to
12 get something in the future.

13 Shy of the agreement, there's no
14 potential, because the foreclosure sale, make no
15 mistake about it, I've written a book on foreclosure,
16 will expunge our lien come the 27th, when the hammer
17 falls from the sheriff's office and the foreclosure is
18 declared.

19 If you have any other questions
20 concerning the agreement or anybody in the audience, I
21 had indicated before, I am free to answer any questions
22 that you have.

23 MR. MCANDREW: Sir, can we possibly get
24 this foreclosure sale delayed?

25 MR. WALSH: Let me answer that. At

87

1 this point, it's my professional opinion that the only
2 one that could delay that foreclosure sale would be
3 Spectrum. I don't see any possibility of us delaying
4 that foreclosure sale, and I see the possibility of

5 Spectrum delaying that foreclosure as being zero.

6 They have certain monetary and business

7 interests in making sure that that foreclosure takes

8 place on the 27th.

9 So, to answer your question, Can we do

10 it? I don't believe so. Will they do it? I don't

11 believe so. I think come the 27th, it will take place.

12 MR. DIBILEO: And, Larry, the reason

13 they won't extend the foreclosure date, according to

14 what they've told me, is because of the fact that due

15 to their lack of parking, they are losing money on a

16 daily basis, and they just don't want that to continue

17 any longer.

18 MR. MCANDREW: Is there any way that we

19 can get our county commissioners involved in this? Our

20 county government was looking for office space here in

21 the City of Scranton, is there any way we can do not

22 anything with the county?

23 MR. WALSH: Are you asking me? I'd be

24 happy to answer that.

25 MR. MCANDREW: Yes.

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1 MR. WALSH: Yes. I believe the county

2 is involved in this. I think the county realizes, as
3 does the city, that the survival of this fine hotel is
4 important to the economic revitalization of that
5 section of the City of Scranton.

6 For that reason, I believe that the
7 county in all probability will be giving a LERTA
8 exemption to the hotel to make sure that this fine
9 addition to the city survives.

10 MR. MCANDREW: Again, gentlemen, I
11 request that you table this until after the election.
12 I thank you for my time.

13 MR. DIBILEO: Larry, just one more
14 comment on the hotel itself, many people may not
15 realize that they're in the business of conventions,
16 they're really built and set up to be a convention
17 hotel for the most part.

18 They are rated number one, as far as
19 the facility within the Hilton system, and that's why
20 they're losing business.

21 MR. MCANDREW: Sir, if I may speak, do
22 I have a minute to say something?

23 MR. DIBILEO: Unfortunately I'm not
24 really able to allow you, Larry. Appreciate that.

25 MR. MCANDREW: Okay. I just wanted to

1 say it's the taxpayers' money, it's the Commonwealth of
2 Pennsylvania's money that was given here.

3 MR. DIBILEO: Thank you, Mr. McAndrew.

4 MR. ANCHERANI: Good evening, Council.

5 I'm Nelson Ancherani, citizen, resident, taxpayer, and
6 member of the FOP.

7 Following is my opinion, I observed the
8 cartoon in The Sunday Times by John Coal, I can't help
9 but wonder what the Scranton Times is afraid of by
10 attaching DiBileo and a small group of people.

11 The cartoons depict the City
12 Councilman's private business office and gang members,
13 that supposedly don't exist, according to city
14 officials, they are dressed in Insane Clown Posse
15 shirts sitting on the stoop.

16 The cartoon right next to it depicts
17 council chambers and speakers who attend council
18 meetings and who speak during audience participation.
19 They are depicted as the Inane council Posse. I assure
20 you we are not silly, empty or senseless, as Coal would
21 like to make us out to be.

22 I also am one of the speakers who comes

23 here to speak, although not as frequently as others. I

24 still consider myself a regular attendee.

25 As I looked at the cartoon, I couldn't

.

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1 help but wonder, why is The Times spending so much

2 time, energy and space to pick on DiBileo and a small

3 group of people exercising their right to free speech,

4 free speech that newspapers so readily enjoy?

5 My opinion is that they are picking on

6 DiBileo for political reasons, but why pick on a small

7 group, a group probably only 20 strong.

8 I use the word strong, because The

9 Times is trying to ridicule them and get them to quit

10 going to Council and speaking.

11 This group is labelled with derogatory

12 cartoons and editorials. They come back week after

13 week and exercise their right to free speech. We thank

14 Channel 61 and council President DiBileo for that.

15 I can remember when I was gaveled out

16 of order by the former council President, and I was

17 speaking about free speech.

18 Getting back to why The Times is

19 bashing this small group, is it because they are scared

20 about an upcoming election? Are they afraid that this

21 small group of people makes more sense than their

22 newspaper?

23 Is it because this small group of

24 people with their truthful statements, questions and

25 concerns concerning city government is rocking the

91

1 newspaper's boat?

2 This group is asking questions where

3 questions were never asked before. They are demanding

4 answers and getting them, either voluntarily or by

5 subpoena.

6 This group is showing its concern as

7 citizens, residents and taxpayers of this city.

8 Politicians are scared because now their accountability

9 comes to the forefront and they don't like that.

10 Apparently the paper does not like open

11 government, something this small group is advocating.

12 What this small group of people is

13 saying is being echoed throughout the city. Channel 61

14 has approximately 91,000 viewers. I bet the newspaper

15 doesn't come close to that.

16 This group is getting the message out

17 to the people, and the newspaper does not want that.

18 They want the people ignorant so that they will be able

19 to do what they want and not be questioned about it.

20 This city is entering a new phase, open government.

21 Politicians, get used to it.

22 But come on, Scranton Times, stop being

23 a bully. These approximately 20 individuals don't

24 deserve the treatment you show them, not for excising

25 their right to free speech.

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1 What this shows me and the citizens of

2 Scranton and the surrounding areas, plus other news

3 outlets in Pennsylvania and the United States, is that

4 the newspaper is a suppressor of free speech, that the

5 newspaper is willing to pick on people who express a

6 right to free speech, and if it isn't what the

7 newspaper wants to hear, then use the power of the

8 press against them.

9 Just remember, audience participators,

10 we are labelled Inane Crowd Posse. I never thought of

11 us as silly, empty or senseless, but apparently

12 John Coal and The Times thinks we are.

13 Now I know how David felt when he faced

14 Goliath, he faced insurmountable odds, but he won in
15 the end. Freedom Of Speech will prevail.
16 One more thing, council, there are all
17 kind of rumors going around that a contract was offered
18 to the police with an eight percent increase in wages,
19 I assure you that is rumor.
20 The only contract that was offered to
21 the police was the recovery plan with a take it or
22 leave it option.
23 I'm on the committee, I know. They
24 haven't offered us anything. But I must say, there is
25 an election coming, and this tactic would not surprise
.
93

1 me one bit. Thank you.

2 MR. DIBILEO: Thank you. Nelson, the
3 good news for you is, I didn't see you in that cartoon.
4 You weren't there, I don't think. I was there.
5 Come on up.

6 MS. KRAKE: Good evening, council.

7 MR. DIBILEO: Good evening.

8 MS. KRAKE: I'd like to welcome The
9 Scranton Times photographer that's here this evening
10 with us. I think that's lovely. In fact, he's the

11 same gentleman that took a picture of my invitation
12 that Mayor Doherty sent me after he laid off over 20
13 people in our union, and it was an invitation for a
14 \$100 a plate inaugural ball; in fact, he sent it to all
15 the people that were laid off.

16 It's very lovely of him to do. I don't
17 know that any attended. Perhaps this is the biggest
18 news in town tonight, I don't really know. Never mind
19 the crime or the looming \$198 million deficit; in fact,
20 if you'd like to take a picture of some real news
21 (INDICATING), that's news.

22 And unlike the Mayor, I'm not afraid to
23 come here, I'm not afraid that they're going to use an
24 unattractive photo of myself, I'm sure there's many
25 anyway, since I've been small.

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94

1 We will come here and continue to speak
2 no matter what The Scranton Times tries to do. We're
3 absolutely not afraid; in fact, it's pretty funny that
4 they're so afraid of us. But actually it's sad, it's
5 not funny.

6 I just have a few things this evening,
7 today I heard one of the city's many attorneys, paid

8 much more than Mr. Walsh, tell us that if the judgment
9 was implemented -- the third time this judgment has
10 been ruled in the workers' favor for the SIT clerks,
11 which the original recovery plan required, that the
12 budget was like the scales of justice and there was no
13 money in the budget and that would bring us back into
14 distressed city status.

15 Isn't that fabulous? We must be out of
16 distressed city status. I don't think that anyone
17 informed council or any of us, but those were his exact
18 words.

19 And what was also curious to us is that
20 the argument there, since there was no funding in this
21 budget for the award, it was curious to us, then why
22 did the city violate the contract and run the risk of,
23 once again, having to pay an award?

24 Mr. Sallusti raised some interesting
25 points. I can't wait until he's here so we can ask him

.

95

1 a lot of different questions, a lot about
2 accountability, that's what going through my mind right
3 now.

4 But I do have one question, since we

5 are doing so well and we built a garage and a police

6 station, which we did really need, then why are we

7 still distressed?

8 It's very interesting how they use that

9 to formulate how they're going to run the city day by

10 day. One day we're distressed when it behooves them,

11 the next day we're not when it behooves them.

12 I think that's something we might want

13 to look into, is if we're really distressed. And, in

14 fact, I would like to ask council that if there is some

15 way we can look into that.

16 MR. COURTRIGHT: Ms. Krake, can I ask

17 you a question, Jay, don't take her time.

18 MS. KRAKE: He's taking a lot of

19 pictures.

20 MR. COURTRIGHT: Yeah, he likes you.

21 MS. KRAKE: I think so.

22 MR. COURTRIGHT: It seems like -- I

23 have an interest in the SIT clerks, because I said from

24 day one I felt that we should have them working because

25 you believe from the going that it we're going to end

.

96

1 up paying for them because it's in the contract and you

2 think they're all value, but I heard this week there

3 was some kind of legal mistake made in the filing or

4 appeal on that, do you --

5 MS. KRAKE: What they tried to do

6 today, well, the Commonwealth Court, to the best of my

7 understanding, because I'm not that -- the best that I

8 can understand it is, they tried to -- once you win,

9 you have to do whatever the case says, so, in other

10 words, they would have had to hire the clerks, which

11 would allow the police more time to be on the streets,

12 which is a very good thing, and also there is a

13 monetary award per the arbitrator, because the police

14 were literally doing their work for the past two years,

15 so those things needed to be enacted, and the city is

16 saying no, we can't, because we're distressed, or are

17 we distressed, or maybe today or maybe tomorrow. We

18 really don't know. That kept flip-flopping, they're

19 very good at that.

20 So, today now it's back in Judge

21 Mazzoni's hands to decide whether they have to

22 implement until they take it to appeal. That's the

23 best I understand it. Maybe Mr. Walsh could explain it

24 better.

25 MR. COURTRIGHT: No, I just -- you

1 I know, there's a couple of rumors around about that and

2 I thought maybe you had a little insight into that.

3 MS. KRAKE: Yeah, that's what I can get

4 out of it.

5 MR. COURTRIGHT: All right. Thank you.

6 MS. KRAKE: And I just have one more

7 remark that after all the people were speaking this

8 evening and the people from the neighborhoods, and I

9 live in South Scranton, and it is changing, as many of

10 the neighborhoods are, and I would just like to say

11 that despite this Mayor and his policies, the people in

12 the neighborhoods will persevere. Politicians who

13 ignore the people for three and a half years should be

14 aware. Thank you.

15 MR. DIBILEO: Thank you. If there's no

16 further speakers.

17 MR. WALSH: 5-A, motions.

18 MR. DIBILEO: Mr. McTiernan, do you

19 have any motions or comments this evening?

20 MR. McTIERNAN: Nothing at this time,

21 Mr. President.

22 MR. DIBILEO: Thank you. Mr. Pocius,

23 do you have any motions or comments?

24 MR. POCIUS: A couple of quick

25 comments, Mr. President.

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1 MR. DIBILEO: Sure.

2 MR. POCIUS: Jay, I happened to be over

3 visiting my lovely mother last Sunday, and I happened

4 to take a ride down to South Grant and Jackson, we have

5 this complaint, that's not a manhole, what it is is

6 it's -- if you're familiar, it's one of the flushing

7 pipes when they used to flush the column down into the

8 mines, and it is sticking up, it is jagged, but I don't

9 know really whose responsibility it would be to take it

10 out of there, because the road is newly paved within

11 the last couple of years and it was paved around it.

12 We had a situation like that back on

13 Cedar Avenue, and I don't know who eventually cut the

14 top of the pipe off, so that's a little insight into

15 what that problem is, okay?

16 MR. SAUNDERS: It's not a manhole?

17 MR. POCIUS: No. I know exactly. It's

18 the pipe that was in the ground the cinders or the

19 column material used to be flushed down into the mine

20 veins when they had the flushing projects going.

21 MR. SAUNDERS: Okay. I'll send that

22 out.

23 MR. POCIUS: Maybe George can -- maybe

24 it's -- I really don't know who's in charge. I don't

25 want to spend any more time on it, Jay, but that's what

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1 it is. It's not like a sewer manhole or a, you know, a

2 gas valve or something sticking up.

3 We received another letter today from

4 Congressman Kanjorski asking us to address a complaint

5 of a resident. Jay, I think you could reply back to

6 the Congressman's office, all of these signals in

7 question are in that CDBG signal project, which is very

8 close to going into final design.

9 So, I can't say that there's going to

10 be left turn lanes or whatever there, but what will be

11 done is they will be designed and all these signals

12 will be implemented to be so that the traffic moves

13 freely and safely through all these intersections.

14 So, we are addressing the issue, is

15 what I'm trying to say. I don't know the result,

16 because I'd be wrong to say I knew what was going on

17 exactly at each intersection.

18 MR. SAUNDERS: Okay.

19 MR. POCIUS: Jay, did you hear anything

20 -- I was told that there may possibly be an open house

21 at DPW this Saturday, did you hear anything on that?

22 And I'm afraid to announce it as being fact, because I

23 don't know if it's true or not. I did hear it from

24 some of the workers that there may be an open house.

25 MR. SAUNDERS: No, I didn't hear it.

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1 MR. POCIUS: Well, I was going to

2 announce it, but I'm not sure, so there may or may not

3 be, so if you hear it from me, I'm not sure that it's

4 going to happen, I guess to tour the grounds and see

5 the equipment and whatever, you know.

6 Other than that, I was going to make

7 that motion again tonight, but I wanted to make it in

8 front of a full Council, and I'll defer until next week

9 here or whatever.

10 And just one thing, Mr. President, I

11 think we should get a motion to name an acting finance

12 chairman in Mrs. Evans' absence tonight, so you can do

13 that under your rules, the chairman should be aware of

14 it, okay?

15 MR. DIBILEO: Certainly.

16 MR. POCIUS: Thank you. That's it.

17 That's all for tonight. Thank you very much.

18 MR. DIBILEO: Thank you, Mr. Pocius.

19 Mr. Courtright, motions or comments?

20 MR. COURTRIGHT: Yes, Mr. President. I

21 got the information of this \$4800 bill for all these

22 billboards, signs and everything over the phone from

23 Jay today, and I don't know why, but I had the figure

24 \$13,000 in my head from the beginning. When he told me

25 \$48, I --

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1 MR. SAUNDERS: Mr. Courtright, it's

2 \$48,000.

3 MR. COURTRIGHT: \$48,000, I'm sorry. I

4 kept saying four or \$5,000, Jay?

5 MR. COURTRIGHT: He's there, no,

6 \$48,000, more money than I make. And I got to be

7 honest with you, I'm shocked. And now they're saying

8 that the billboards aren't in there. I'm pretty upset

9 that we spend that kind of money on all this

10 advertising, I really am.

11 I'm not against promoting the city at
12 all, but that's a lot of money. We could have paved
13 streets, we could have put another cop, we could have
14 done a lot of things.
15 But I'm just -- I would ask Jay that we
16 get the figure of the billboards as soon as possible,
17 and it's just going to add insult to injury, I guess.
18 If I may, Mr. President, I received a
19 handwritten letter yesterday, if I can read this, I'll
20 do this as quickly as possible, The Scranton Police
21 Department and everyone involved, I want to thank you
22 from heart and soul for keeping me and the
23 neighborhoods safe. The night of the shooting on Acker
24 Avenue and Locust Street was the scariest event I have
25 ever witnessed. Everyone did a fantastic job. I

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1 appreciate everything that was done that night.
2 I don't know how did you that job day
3 after day. The stress I felt that morning was
4 unbelievable. God be with you and always every minute
5 of every day.
6 If there's ever a fundraiser for the
7 Scranton Police Department, count me in. I have a new

8 and total respect for everyone. Keep up the great
9 work. This has made me want to be a better person and
10 do as much as I can for people.

11 Just seeing what you go through for
12 people you may or may not know is just incredible.
13 Thank you so much. I pray that all is well with all of
14 you and your families. And it's signed Lisa on Locust
15 Street.

16 And I'm glad that she wrote me the
17 letter, because I don't think that we gave the police
18 department as much credit as they deserved to get for
19 that situation.

20 That was a really bad situation.

21 There's some things that went on there that I'm not
22 going to say on the air here that I don't think the
23 average person knows.

24 Police officer, one guy laying on the
25 ground for three solid hours with a rifle in his hand,

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1 that's not an easy thing to do, and just many other
2 things that maybe we shouldn't say on the air, but I
3 don't think they got the credit they deserved.

4 This gang-member-type-talk that we have

5 going on here, Ms. Lowry spoke about it, I'm a little
6 bit familiar with that situation that happened there,
7 and I think it's to the point now where nobody is going
8 to be able to deny the fact that we have gangs, and I
9 don't think the gang that she's talking about was the
10 one that we keep bringing up all the time, I think it
11 was another one.

12 And I spoke to some people that were on
13 the scene there, and I think we've just got to get a
14 little bit more aggressive and try to get this gang
15 situation under control, whether we want to believe it's
16 there or not. And I believe that's all I have, Mr.
17 President. Thank you.

18 MR. DIBILEO: Thank you, Mr.

19 Courtright. Appreciate those comments. I think that,
20 you know, we take a lot of things for granted, all of
21 us do every day, but I think that that's a good example
22 of how we take the, you know, hard work of our police
23 department for granted, because when we need them,
24 they're there, and we just never think we're going to
25 need them, but when we do, they're there and doing

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1 their job and protecting us, so appreciate all the work

2 of the police department.

3 One of the speakers, Mr. Davis, tonight

4 mentioned registering to vote, and that made me realize

5 that we are approaching 19 days away from the deadline

6 to register to vote, to do your civic duty. Regardless

7 of who you vote for, you should get out.

8 People have fought in wars and died in

9 wars to give you the opportunity to select your

10 leaders, and October the 11 is the deadline to register

11 to vote.

12 The voter registration office phone

13 number is 963-6737, 963-6737, and I'm sure they'd be

14 happy to mail you a registration form out. And it's a

15 small form, nothing to be excited about, it's very easy

16 to do.

17 Also, I'd like to say I'm sorry to the

18 Mountain View Care Center Auxiliary, who a couple of

19 weeks ago asked me -- they sent me a note, and I opened

20 it up after the event, they asked me if I could mention

21 their 2005 bazaar and flea market, which has already

22 passed, so I apologize to the Mountain View Care Center

23 and I hope everything went well for them. I apologize

24 about not mentioning that.

25 And the last thing is I'll entertain a

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1 motion, if anyone would like to make it, to name a
2 temporary finance chairman for tonight's meeting.

3 MR. COURTRIGHT: I'll make a motion

4 that we appoint Mr. Pocius temporary finance chair.

5 MR. MCTIERNAN: Second.

6 MR. DIBILEO: Okay. We have a motion

7 on the floor and a second. On the question? All those

8 in favor signify by saying aye.

9 MR. MCTIERNAN: Aye

10 MR. POCIUS: Aye.

11 MR. COURTRIGHT: Aye.

12 MR. DIBILEO: Aye. By a 4-0 vote,

13 motion passes. And that's all I have.

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

15 INTRODUCTION - AN ORDINANCE - ESTABLISHING PERMIT

16 PARKING IN CERTAIN PORTIONS OF THE 500 BLOCK OF MONROE

17 AVENUE FROM VINE STREET TO OLIVE STREET ON THE WESTERLY

18 SIDE AND FROM 514 MONROE AVENUE SOUTH TO VINE STREET ON

19 THE EASTERLY SIDE.

20 MR. DIBILEO: At this time I'll

21 entertain a motion that 5-B be introduced into it's

22 proper committee.

23 MR. POCIUS: So moved.

24 MR. COURTRIGHT: Second.

25 MR. DIBILEO: On the question?

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1 MR. POCIUS: Just on the question,

2 Mark, will we need a public hearing on this?

3 MR. WALSH: Yes.

4 MR. POCIUS: Can we make that motion

5 after we introduce it?

6 MR. WALSH: Yes.

7 MR. POCIUS: Can we just pick one?

8 MR. SAUNDERS: Next Thursday is

9 available.

10 MR. POCIUS: Why don't we just let Mr.

11 President get rid of this and we can make the motion to

12 have the public hearing, like, quarter to seven next

13 week.

14 MR. DIBILEO: If there's no further

15 questions, all those in favor, signify by saying aye.

16 MR. MCTIERNAN: Aye

17 MR. POCIUS: Aye.

18 MR. COURTRIGHT: Aye.

19 MR. DIBILEO: Aye. Opposed? The ayes

20 have it and so moved.

21 MR. POCIUS: At this time I'll make a
22 motion that Scranton City Council hold a public hearing
23 on Item 5-B at our next regularly scheduled meeting,
24 which will be the 29th, September 29 at 6:45 in council
25 chambers and allow Mr. Saunders to properly advertise
.

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1 it.

2 MR. COURTRIGHT: I'll second it.

3 MR. DIBILEO: Okay. We have a motion
4 on the floor and a second. On the question? All those
5 in favor, signify by saying aye.

6 MR. MCTIERNAN: Aye

7 MR. POCIUS: Aye.

8 MR. COURTRIGHT: Aye.

9 MR. DIBILEO: Aye. Opposed? The ayes

10 have it and so moved.

11 MR. WALSH: 5-C, FOR INTRODUCTION - AN
12 ORDINANCE - SALE OF TAX DELINQUENT PROPERTY AT REAR
13 817-819 QUINCY AVENUE, SCRANTON, PENNSYLVANIA, TO
14 PATRICK J. AND WINIFRED M. O'SHEA, R.R. 2, BOX 2200,
15 MOUNT COBB, PA 18436, FOR THE SUM OF \$2,000.00.

16 MR. DIBILEO: At this time I'll

17 entertain a motion that Item 5-C be introduced into

18 it's proper committee.

19 MR. POCIUS: So moved.

20 MR. COURTRIGHT: Second.

21 MR. DIBILEO: On the question?

22 All those in favor, signify by saying aye.

23 MR. MCTIERNAN: Aye

24 MR. POCIUS: Aye.

25 MR. COURTRIGHT: Aye.

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1 MR. DIBILEO: Aye. Opposed? The ayes

2 have it and so moved.

3 MR. WALSH: Sixth order. There is no

4 sixth order business at this time. Seventh order.

5 7-A, FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR

6 ADOPTION -FILE OF COUNCIL NO. 143, 2005 - VACATING A

7 PORTION OF THE RIGHT OF WAY KNOWN AS ANNICK COURT

8 BEGINNING AT THE INTERSECTION OF ANNICK AND CONTINENTAL

9 ROAD (A.K.A. BALD MOUNTAIN ROAD) AND PROCEEDING

10 NORTHEASTERLY FOR A DISTANCE OF 228.27 FEET.

11 MR. DIBILEO: As chairman for the

12 committee on rules, I recommend final passage of Item

13 7-a.

14 MR. POCIUS: Seconded.

15 MR. DIBILEO: On the question? Roll

16 call, please, Kay.

17 MS. GARVEY: Mr. McTiernan.

18 MR. McTIERNAN: Yes.

19 MS. GARVEY: Mrs. Evans.

20 Mr. Pocius.

21 MR. POCIUS: Yes.

22 MS. GARVEY: Mr. Courtright.

23 MR. COURTRIGHT: Yes.

24 MS. GARVEY: Mr. DiBileo.

25 MR. DIBILEO: Yes. I hereby declare

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1 Item 7-A legally and lawfully adopted.

2 MR. WALSH: 7-B, FOR CONSIDERATION BY

3 THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

4 COUNCIL NO. 144, 2005 - SALE OF TAX DELINQUENT PROPERTY

5 AT 1302 MULBERRY STREET, SCRANTON, PENNSYLVANIA, TO

6 JOHN J. HARRINGTON, JR. AND CATHERINE A. HARRINGTON,

7 HIS WIFE, 102 LILAC LANE, SCRANTON, PENNSYLVANIA,

8 18505, FOR THE SUM OF \$3,500.00.

9 MR. DIBILEO: What's the recommendation

10 of the temporary chairman for the committee on finance?

11 MR. POCIUS: As temporary chairman, I

12 move for final passage of Item 7-B.

13 MR. COURTRIGHT: Second.

14 MR. DIBILEO: On the question? Roll

15 call, please, Kay.

16 MS. GARVEY: Mr. McTiernan.

17 MR. McTIERNAN: Yes.

18 MS. GARVEY: Mrs. Evans.

19 Mr. Pocius.

20 MR. POCIUS: Yes.

21 MS. GARVEY: Mr. Courtright.

22 MR. COURTRIGHT: Yes.

23 MS. GARVEY: Mr. DiBileo.

24 MR. DIBILEO: Yes. I hereby declare

25 Item 7-B legally and lawfully adopted.

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1 MR. WALSH: 7-C, FOR CONSIDERATION BY

2 THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

3 COUNCIL NO. 145, 2005 - SALE OF TAX DELINQUENT PROPERTY

4 AT 1326 MULBERRY STREET, SCRANTON, PENNSYLVANIA TO

5 LOGO-TEES, INC., D/B/A WILLIAMS MARKETING & SALES, 276

6 EAST GROVE STREET, CLARKS SUMMIT, PENNSYLVANIA, 18411,

7 FOR THE SUM OF \$4,500.00.

8 MR. DIBILEO: What's the recommendation
9 of the temporary chairman for the committee on finance?

10 MR. POCIUS: I move for adoption of
11 Item 7-C.

12 MR. COURTRIGHT: Second.

13 MR. DIBILEO: On the question? Roll
14 call, please, Kay.

15 MS. GARVEY: Mr. McTiernan.

16 MR. McTIERNAN: Yes.

17 MS. GARVEY: Mrs. Evans.

18 Mr. Pocius.

19 MR. POCIUS: Yes.

20 MS. GARVEY: Mr. Courtright.

21 MR. COURTRIGHT: Yes.

22 MS. GARVEY: Mr. DiBileo.

23 MR. DIBILEO: Yes. I hereby declare

24 Item 7-C legally and lawfully adopted.

25 MR. DIBILEO: Prior to reading 7-D, Mr.

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1 Walsh, I'd like to read an amendment for that piece of
2 legislation.

3 MR. WALSH: Are you looking to amend
4 that legislation?

5 MR. DIBILEO: Yes, we are.

6 MR. WALSH: Make a motion to amend.

7 MR. DIBILEO: Yes. I need to get that

8 in front of me quickly. And actually even prior to

9 reading that amendment, I'd like to say a few words

10 about this legislation.

11 This upcoming legislation, 7-D and 7-E,

12 is the legislation on the Hilton Hotel And Conference

13 Center, and this legislation is addressing what the

14 Hilton Hotel And Conference Center had previously been

15 promised.

16 They were promised parking and some tax

17 breaks. Because the hotel was not provided these

18 things they had been promised, they have filed a

19 lawsuit, which we are trying to avoid.

20 I believe we should want to avoid this

21 for several reasons, one is that the hotel could close

22 and they could close the hotel during the lawsuit,

23 period, which could be up to a two-year period;

24 secondly, I think that the hotel could win the lawsuit

25 because of the promises previously made which are in

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1 writing, thirdly, the city would lose its \$3 million

2 that we've invested into the hotel project, and
3 fourthly, the city could be liable for not only the \$3
4 million, but also the hotel's loss of business for the
5 past two years due to the lack of parking, which would
6 be -- which could be several million dollars.

7 So, I think that we're fortunate to
8 have this hotel in Downtown Scranton, we benefit from
9 all the money spent by the convention goers that will
10 frequent the hotel once the parking is available, we'll
11 also reap the benefits of mercantile taxes, gross
12 receipts taxes, sales taxes and wage taxes.

13 You have to remember that this is not
14 a KOZ property, and the only thing that they are
15 getting relief from is the real estate taxes on the
16 improvements, which is the building itself.

17 I think that it's easy to point
18 fingers at the administration for the parking not being
19 available for the hotel, but I think, as I said last
20 week, that playing politics now is not going to do
21 anything positive for the City of Scranton and would
22 actually hurt the city.

23 Is this the best deal for the city?

24 Based on the promises previously made, I believe it is.

25 The alternative to passing this legislation is bad for

1 Scranton; that is, a loss of millions and possibly a
2 locked-up hotel. Now, that's bad for economic
3 development, and that's bad for the City of Scranton as
4 a whole.

5 We've worked on negotiations on this
6 until the bitter end literally, and Mrs. Evans not
7 being at the meeting this evening when we met in
8 caucus, and I was hoping to have a word with her right
9 before the meeting started, I actually made a
10 last-minute call to the developers, I told the
11 developers that I'd like to achieve, if we could, a
12 unanimous vote on this issue.

13 I know that Mrs. Evans had a lot of
14 questions. I think she got all of her questions
15 answered. Even though she wasn't here this evening,
16 the answer to her questions, I believe, Jay, were faxed
17 to her.

18 MR. SAUNDERS: Yeah, they were brought
19 into my office this morning and then we got them to
20 Mrs. Evans probably four o'clock, 4:30, five o'clock.

21 MR. DIBILEO: So, hopefully she got her
22 questions answered. But in an attempt to achieve that

23 unanimous vote which I was hoping for, I made a
24 last-ditch effort to get the absolute best deal for the
25 city, and I requested just before this meeting began
.

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1 that the developer enhance the payback of the city's \$3
2 million loan. They agreed to allow a \$500,000 payback
3 come sooner.

4 Now, currently the city would get
5 nothing if the hotel developers sold it for up to
6 \$32 million. That's at the point where the city starts
7 to receive its money back for them selling it over \$32
8 million and up to \$35 million.

9 But I was able to negotiate a payback
10 that would begin at the \$28 million figure, whereby the
11 city would receive \$125,000 per million for each
12 million that the hotel would be sold for in excess of
13 \$28 million.

14 So, at the \$32 million level under this
15 negotiation, at the \$32 million figure, the city would
16 have in hand \$500,000 at that point in its coffers;
17 whereas, we would have had zero if the agreement had
18 been left the way it was prior to this evening.

19 So, with that said, I'd like to make a

20 couple of amendments to the legislation, an that is
21 amending the \$32 million figure, if you can reword
22 that, Mr. Walsh, if you can, and I'm going to have to
23 ask you if you could present to me the two amendments
24 that you wanted me to read from the public caucus
25 meeting this evening.

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1 MR. DIBILEO: I'd like to make an
2 amendment to Resolution No. 164, 2005 --

3 MR. WALSH: A motion to amend?

4 MR. DIBILEO: A motion to amend

5 RESOLUTION NO. 164 OF 2005 AS FOLLOWS: AUTHORIZING THE
6 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
7 AND ENTER INTO A MEMORANDUM OF AGREEMENT SUBSTANTIALLY
8 IN THE FORM ATTACHED HERETO OR AS THE PARTIES MAY
9 SUBSEQUENTLY AGREE WHICH DOCUMENT WILL MEMORIALIZE THE
10 TERMS OF THE AGREEMENT CONCERNING THE HILTON SCRANTON
11 HOTEL AND CONFERENCE CENTER AGREEMENT AND RECORD THOSE
12 TERMS FOR PUBLIC RECORD AND NOTICE IN THE RECORDER OF
13 DEEDS OF LACKAWANNA COUNTY.

14 I also would like to amend the \$32
15 million figure to read \$125,000 coming back to the city
16 for each million over \$28 million, if that would

17 adequately do it.

18 MR. COURTRIGHT: Second.

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

21 MR. POCIUS: Just -- I -- I mean, I
22 think it's -- I mean, I'm not going to be against this
23 thing. I mean, if we can get some money back earlier,
24 but, Mr. Walsh, I am only saying this, if we do this,
25 it's a good thing, Gary, are you sure Spectrum is on

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1 board with this --

2 MR. DIBILEO: Yes.

3 MR. POCIUS: You talked to everybody?

4 I don't see -- I mean, what are we going to do? I'll
5 go along with it.

6 MR. WALSH: Exactly.

7 MR. POCIUS: In your opinion, this is
8 the right way to do it?

9 MR. WALSH: Oh, yeah. I mean, if we
10 can get a better deal --

11 MR. POCIUS: No, no, I mean, the
12 amendment.

13 MR. WALSH: Well, that's the amendment

14 that the administration wants us to use, as well, but
15 let me say this, the reason for the amendment is that,
16 as you know, our agreement references the agreement
17 between the SRA and the Scranton Parking Authority who
18 are the owners of the Medallion Garage and the Casey
19 Garage.

20 Their agreement isn't fully done, and
21 there are some issues as to whether parking is free or
22 not free, that's the reason why we want to give the
23 Mayor some leeway to try and make sure that the parking
24 is not free, although that may not happen, but we want
25 to give him leeway to do that, though.

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1 MR. POCIUS: Okay.

2 MR. WALSH: That's why --

3 MR. POCIUS: I'm just saying, this
4 motion enhances our position and you feel we're okay
5 with that?

6 MR. WALSH: Yeah. I think it enhances
7 our position and I think it gives the Mayor the ability
8 and Mr. DiBileo the ability to further enhance our
9 position.

10 MR. POCIUS: Very good. That's all.

11 The motion is in the right order, fine.

12 MR. COURTRIGHT: On, the question, I

13 don't know if I have to ask Mr. DiBileo or Mr. Walsh,

14 now, when we had the meeting we were at \$32 million,

15 correct?

16 MR. DIBILEO: Uh-huh.

17 MR. COURTRIGHT: Now you're telling me

18 we're at \$28 million.

19 MR. DIBILEO: Well, not \$28 million,

20 period, we're --

21 MR. COURTRIGHT: No, but the --

22 MR. DIBILEO: It's \$125,000 per million

23 that we will receive.

24 MR. COURTRIGHT: So, between when we

25 were in there and now we got a better deal?

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1 MR. DIBILEO: Yes.

2 MR. COURTRIGHT: All right. Well, I'm

3 in favor of that. Okay. All right. Fine.

4 MR. DIBILEO: Okay. So, if there's no

5 further questions, there's a motion on the floor and a

6 second. No further questions? All those in favor,

7 signify by saying aye.

8 MR. MCTIERNAN: Aye

9 MR. POCIUS: Aye.

10 MR. COURTRIGHT: Aye.

11 MR. DIBILEO: Aye. Opposed? The ayes

12 have it and so moved. Okay. As chairperson for the

13 committee on rules, I recommended final passage of Item

14 7-D as amended.

15 MR. WALSH: I don't believe I -- I have

16 to -- I don't believe I read 7-D yet, so I just have to

17 read it first.

18 MR. DIBILEO: Okay. Go ahead.

19 MR. WALSH: No problem. 7-D, FOR

20 CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION

21 - RESOLUTION NO. 164 OF 2005 AS AMENDED - AUTHORIZING

22 THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO

23 EXECUTE AND ENTER INTO A MEMORANDUM OF AGREEMENT

24 SUBSTANTIALLY IN THE FORM ATTACHED HERETO OR AS THE

25 PARTIES MAY SUBSEQUENTLY AGREE WHICH DOCUMENT WILL

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1 MEMORIALIZE THE TERMS OF THE AGREEMENT CONCERNING THE

2 HILTON SCRANTON HOTEL AND CONFERENCE CENTER AGREEMENT

3 AND RECORD THOSE TERMS FOR PUBLIC RECORD AND NOTICE IN

4 THE RECORDER OF DEEDS OF LACKAWANNA COUNTY.

5 MR. DIBILEO: As chairperson for the
6 committee on rules, I recommend final passage of Item
7 7-D as amended.

8 MR. COURTRIGHT: Second.

9 MR. DIBILEO: On the question?

10 MR. COURTRIGHT: On the question, if I
11 can just speak a minute, Mr. President, just because
12 this is such an important matter, you know, am I happy
13 that we got into the situation that we got in and the
14 administration didn't have the parking ready when it
15 should have been, absolutely not, but the fact remains
16 that we have the hotel there, and I certainly don't
17 want to see it close.

18 I think it's a beautiful hotel. They
19 received an award for being one of the best Hiltons,
20 I'm understanding, and I'm going to vote in favor of
21 this for several reasons.

22 Mrs. Evans had several good questions,
23 and we discussed every one of them, 27, as a matter of
24 fact, in our caucus, and for the most part, I believe
25 to everyone's satisfaction.

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1 The other reason I'm voting in favor of

2 this is Mr. Walsh, as he stated earlier, if in fact

3 they foreclose on this, then we'll never see our

4 \$3 million.

5 And I know, you know, we all certainly

6 hoped for better. Actually Mr. DiBileo got us a little

7 bit better deal between the time we left there and out

8 here, he must have called them, I'm not quite sure how

9 that happened, but for those reasons and a few others,

10 I'm going to vote in favor of this legislation. That's

11 all I have, Mr. President.

12 MR. DIBILEO: Thank you.

13 MR. POCIUS: Just a brief comment, Mr.

14 DiBileo. I think the negotiations were carried out

15 amongst of myriad of attorneys, everyone bargained in

16 good faith, the city, the Scranton Redevelopment

17 Authority, the Parking Authority, Spectrum itself.

18 Mr. Courtright said the right thing, we

19 have the hotel, it's there, it's a substantial

20 investment, we have two parking garages under

21 construction right now on the same corner.

22 I have to assume that this triggered

23 basically why the 500 block of Lackawanna would be such

24 an ideal place to continue this redevelopment work.

25 It's easy to go back and look --

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1 hindsight is 20/20, foresight is somewhat clouded at
2 times, I know I use that quote a lot, but I think what
3 this Council is doing right now is trying to make the
4 best situation we can for the taxpayers and for the
5 future of the city to continue this economic growth, so
6 I will vote in favor of the amended agreement.

7 MR. DIBILEO: Thank you. Any further
8 questions? Okay. If there's no further questions,
9 Kay, can we have a roll call, please?

10 MS. GARVEY: Mr. McTiernan.

11 MR. McTIERNAN: Yes.

12 MS. GARVEY: Mrs. Evans.

13 Mr. Pocius.

14 MR. POCIUS: Yes.

15 MS. GARVEY: Mr. Courtright.

16 MR. COURTRIGHT: Yes.

17 MS. GARVEY: Mr. DiBileo.

18 MR. DIBILEO: Yes. I hereby declare

19 Item 7-D legally and lawfully adopted.

20 I'd like to make a motion amend

21 RESOLUTION NO. 165 of 2005 AS FOLLOW: AUTHORIZING THE
22 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ENTER

23 INTO AN AGREEMENT SUBSTANTIALLY IN THE FORM ATTACHED
24 HERETO OR AS THE PARTIES MAY SUBSEQUENTLY AGREE BY AND
25 AMONG THE FOLLOWING PARTIES: THE PARKING AUTHORITY OF

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1 THE CITY OF SCRANTON, THE REDEVELOPMENT AUTHORITY OF
2 THE CITY OF SCRANTON, SPECTRUM ORIGINATION, LLC, AND
3 ELECTRIC CITY HOSPITALITY, LLC. REGARDING THE PARTIES
4 RIGHTS AND OBLIGATIONS CONCERNING THE HILTON SCRANTON
5 HOTEL AND CONFERENCE CENTER AT 100 ADAMS AVENUE
6 (COLLECTIVELY, THE PARTIES) INCLUDING TAX ABATEMENT,
7 PARKING AND OUTSTANDING LOAN OBLIGATIONS.

8 For this legislation, Mr. Walsh, would

9 I need to include the second amendment on the payback

10 of the \$3 million?

11 MR. WALSH: Yes, you would.

12 MR. DIBILEO: Okay. I'd also like to

13 further amend the legislation by changing the payback

14 figure of \$32 million, to have that read \$28 million,

15 at which point the city would receive \$125,000 for each

16 million over and above \$28 million.

17 MR. COURTRIGHT: Second.

18 MR. DIBILEO: Okay. We have a motion

19 on the floor and a second. On the question? All those

20 in favor, signify by saying aye.

21 MR. MCTIERNAN: Aye

22 MR. POCIUS: Aye.

23 MR. COURTRIGHT: Aye.

24 MR. DIBILEO: Aye. Opposed? The ayes

25 have it and so moved.

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1 MR. WALSH: And, again, I think, Mr.

2 DiBileo, the reason that it's phrased that way is that

3 the SPA and the SRA, I believe, are still talking to

4 Spectrum with respect to the term of the parking and

5 the charge for the parking, so, I believe that's one of

6 the reasons why it's written that way.

7 MR. POCIUS: Plus, also, we were

8 informed in our negotiations and legal litigation

9 discussions that meetings have been set up by the

10 Parking Authority and the Redevelopment Authority, I

11 think it's some time on Monday to make the deadline.

12 MR. WALSH: Yes, right.

13 MR. POCIUS: To continue this deadline,

14 so --

15 MR. WALSH: And the reason why it's

16 necessary to allow them to make changes to their

17 agreements which are being incorporated into our
18 agreement, because if they can get a better deal, we
19 would rather have it because it benefits us.

20 MR. POCIUS: Absolutely. Very good.

21 MR. WALSH: 7-E, FOR CONSIDERATION BY

22 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

23 165 of 2005 AS AMENDED - AUTHORIZING THE MAYOR AND

24 OTHER APPROPRIATE CITY OFFICIALS TO ENTER INTO AN

25 AGREEMENT SUBSTANTIALLY IN THE FORM ATTACHED HERETO OR

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1 AS THE PARTIES MAY SUBSEQUENTLY AGREE BY AND AMONG THE

2 FOLLOWING PARTIES: THE PARKING AUTHORITY OF THE CITY

3 OF SCRANTON, THE REDEVELOPMENT AUTHORITY OF THE CITY OF

4 SCRANTON, SPECTRUM ORIGINATION, LLC, AND ELECTRIC CITY

5 HOSPITALITY, LLC. REGARDING THE PARTIES RIGHTS AND

6 OBLIGATIONS CONCERNING THE HILTON SCRANTON HOTEL AND

7 CONFERENCE CENTER AT 100 ADAMS AVENUE (COLLECTIVELY,

8 THE PARTIES) INCLUDING TAX ABATEMENT, PARKING AND

9 OUTSTANDING LOAN OBLIGATIONS.

10 MR. DIBILEO: As chairman for the

11 committee on rules, I recommend final passage of Item

12 7-E as amended.

13 MR. COURTRIGHT: Second.

14 MR. DIBILEO: On the question? Just on
15 the question, I want to recognize representatives from
16 Spectrum. As you know, they were severely
17 inconvenienced at the hotel up to this point. They'll
18 soon have parking, but for the two-year period, they
19 had none and they lost a lot of business.
20 They actually feel as though the city
21 doesn't have a right to the \$3 million payback at all,
22 they feel as though they were so highly inconvenienced
23 that they would be able to take that right out of
24 negotiations, but in a spirit of good faith, they kept
25 it in there for us at the \$32 million level.

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1 They don't feel as though they would
2 sell the hotel for probably a four or five-year period,
3 at which point they have documentation, that if that
4 were occupied at a 72 percent occupancy rate for a
5 two-year period five years down the road, that that
6 building will be worth \$35 million or over, we
7 certainly hope that it is.
8 But I want to recognize them for not
9 only negotiating the \$3 million into the agreement, but
10 then even making it a better deal and a sooner payback

11 for the City of Scranton. So, I want to thank Spectrum

12 for negotiating that with us.

13 If there's no further questions, roll

14 call, please, Kay.

15 MS. GARVEY: Mr. McTiernan.

16 MR. McTIERNAN: Yes.

17 MS. GARVEY: Mrs. Evans.

18 Mr. Pocius.

19 MR. POCIUS: Yes.

20 MS. GARVEY: Mr. Courtright.

21 MR. COURTRIGHT: Yes.

22 MS. GARVEY: Mr. DiBileo.

23 MR. DIBILEO: Yes. I hereby declare

24 Item 7-E legally and lawfully adopted.

25 Seeing no further business on the

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1 agenda, I'll entertain a motion that we adjourn.

2 MR. POCIUS: So moved.

3 MR. COURTRIGHT: Second.

4 MR. DIBILEO: We're adjourned.

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6 (MEETING WAS ADJOURNED.)

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1 CERTIFICATE

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3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

5 notes taken by me on the hearing of the above cause and

6 that this copy is a correct transcript of the same

7 to the best of my ability.

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LISA M. GRAFF, RPR

11 Official Court Reporter

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