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1 SCRANTON CITY COUNCIL

2 PUBLIC HEARING

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7 IN RE: FILE OF COUNCIL NO. 160, 2005 - ESTABLISHING
8 AS ONE-WAY THE FIVE HUNDRED (500) BLOCK OF
9 COREY STREET ALLOWING TRAFFIC TO TRAVEL FROM
10 BIRNEY AVENUE TO PITTSTON AVENUE ONLY.

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12 Held:
13 Thursday, December 1, 2005

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16 Time:
17 6:45 p.m.

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19 Location:
20 Council Chambers
21 Scranton City Hall
22 340 North Washington Avenue
23 Scranton, Pennsylvania

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24 Lisa M. Graff, RMR
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 MS. JANET E. EVANS, VICE-PRESIDENT

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7 MR. WILLIAM COURTRIGHT

8

9 MR. JOHN POCIUS

10

11 MR. ROBERT McTIERNAN

12

13 MS. KAY GARVEY, ASSISTANT CITY CLERK

14

15 ALSO PRESENT:

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MR. AMIL MINORA, ESQUIRE

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1 MR. DIBILEO: I'd like to call a

2 meeting to order. We have a public hearing to hold

3 prior to our regular seven o'clock meeting. Kay, can

4 we have a roll call, please?

5 MS. GARVEY: Mr. McTiernan.

6 MR. McTIERNAN: Here.

7 MS. GARVEY: Mrs. Evans.

8 MS. EVANS: Here.

9 MS. GARVEY: Mr. Pocius.

10 MR. POCIUS: Here.

11 MS. GARVEY: Mr. Courtright.

12 MR. COURTRIGHT: Here.

13 MS. GARVEY: Mr. DiBileo.

14 MR. DIBILEO: Here. Notice is hereby

15 given that Scranton City Council will hold a public

16 hearing on Thursday, December 1, 2005 at 6:45 p.m. in

17 Council Chambers, Second Floor, Municipal Building,
18 Scranton, Pennsylvania.

19 The purpose of the hearing is to hear
20 testimony and discuss the following:

21 FILE OF COUNCIL NO. 160, 2005 - ESTABLISHING
22 AS ONE-WAY THE FIVE HUNDRED (500) BLOCK OF
23 COREY STREET ALLOWING TRAFFIC TO TRAVEL FROM
24 BIRNEY AVENUE TO PITTSTON AVENUE ONLY.

25 And we have a sign-in sheet for the

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1 public hearing, there's one name on it, Mike Dudek.

2 MR. DUDEK: Good evening, Council. My

3 name is Mike Dudek, 608 Depot Street, Scranton.

4 I talked to the people over at the

5 steam fitters union and let them know about the public

6 hearing, just so that they would be informed about it,

7 and apparently they were not all that concerned about

8 it, because most of the members there, even if they

9 live in Moosic, almost eventually make a right-hand

10 turn onto Pittston Avenue, then they will go up either

11 to the light or to the next intersection and make a

12 left.

13 So, they look at the matter of making

14 it a one-way street as a safety issue that probably
15 should be addressed, so they have no problem with it.

16 Thank you.

17 MR. DIBILEO: Thank you, Mr. Dudek.

18 Would anyone else like to speak on this topic? Okay.

19 If not, I'll call the public hearing to a close, and we
20 will be back in a few minutes for our regular meeting.

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2 C E R T I F I C A T E

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

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LISA M. GRAFF, RMR
12 Official Court Reporter

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1 SCRANTON CITY COUNCIL MEETING

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5 Held:

6 Thursday, December 1, 2005

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9 Time:

10 7:00 p.m.

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12

13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

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24 Lisa M. Graff, RMR

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1 MR. DIBILEO: Okay. Please stand for

2 the Pledge Of Allegiance. Please remain standing for a
3 short prayer.

4 I also would like to ask for a special
5 prayer and actually a moment of silence for a 42-year
6 old firefighter, Michael Ferke, who died suddenly this
7 week.

8 He was an excellent member of the
9 Scranton Fire Department and had become a good friend
10 over the last four years to a lot of us up here, and
11 we're going to miss him very much, and we want to wish
12 condolences to his family. And if we can have a moment
13 of silence, please.

14 Thank you very much. Now, Kay, if we
15 can have a roll call, please.

16 MS. GARVEY: Mr. McTiernan.

17 MR. McTIERNAN: Here.

18 MS. GARVEY: Mrs. Evans.

19 MS. EVANS: Here.

20 MS. GARVEY: Mr. Pocius.

21 MR. POCIUS: Here.

22 MS. GARVEY: Mr. Courtright.

23 MR. COURTRIGHT: Here.

24 MS. GARVEY: Mr. DiBileo.

25 MR. DIBILEO: Here.

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1 And Kay, if we can dispense with the reading the
2 minutes, please.

3 MS. GARVEY: Third order. 3-A,

4 CONTROLLER'S REPORT FOR THE MONTH ENDING
5 OCTOBER 31, 2005.

6 MR. DIBILEO: Are there any comments on
7 3-A? If not, received and filed.

8 MS. GARVEY: 3-B, MINUTES FROM THE
9 SCRANTON LACKAWANNA HEALTH AND WELFARE AUTHORITY
10 REGULAR BOARD MEETING HELD THURSDAY, OCTOBER 20, 2005.

11 MR. DIBILEO: Are there any comments on
12 3-B? If not, received and filed.

13 MS. GARVEY: 3-C, AGENDA FOR THE ZONING
14 HEARING BOARD TO BE HELD THURSDAY, DECEMBER 14, 2005.

15 MR. DIBILEO: Are there any comments on
16 3-C? If not, received and filed.

17 MS. GARVEY: 3-D, PETITION FOR A
18 STREETLIGHT AT OLD LOG ROAD.

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

21 MR. DIBILEO: If not, received and
22 filed.

23 MR. POCIUS: Mr. President, I'll make a
24 motion that we send this streetlight petition to the
25 city engineer and MEM for consideration and, you know,
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1 report to see if a light's warranted.

2 MS. EVANS: Second.

3 MR. DIBILEO: Okay. We have a motion
4 on the floor and a second. On the question?
5 All those in favor, signify by saying aye.

6 MS. EVANS: Aye.

7 MR. MCTIERNAN: Aye

8 MR. POCIUS: Aye.

9 MR. COURTRIGHT: Aye.

10 MR. DIBILEO: Aye. Opposed? The ayes
11 have it and so moved. Thank you, Mr. Pocius.

12 MR. POCIUS: You're welcome.

13 MS. GARVEY: 3-E, Clerk's notes. There
14 are no clerk's notes.

15 MR. DIBILEO: Okay. That's because we
16 have no clerk.

17 MS. GARVEY: Right.

18 MR. DIBILEO: Thanks for sitting in
19 tonight. Before I call up the first speaker for public

20 participation, I'd like to make mention of the fact
21 that during fifth order when it's our opportunity to
22 speak, I will be making a motion, a couple of motions,
23 one will be to accept the resignation of our City
24 Clerk, Jay Saunders, who is no longer with us, and we
25 thank Kay Garvey for filling in for Jay tonight and for

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1 the rest of this year, actually, and also I'll be
2 making a motion to accept the resignation of our City
3 Council solicitor, Mr. Mark Walsh, and I will also be
4 making a motion that we hire City Council Solicitor for
5 the rest of this year, Mr. Amil Minora.

6 And if anyone would like to comment on
7 any of those two resignations or the hiring for the
8 rest of this year Mr. Minora, please feel free to do
9 so.

10 And actually I'm going to ask Mr.
11 Minora, who happens to be here this evening in the
12 hallway to sit with us tonight, and then during motions
13 I'll make the motion that we hire him for the remainder
14 of the year. So, let me get him real quick.

15 Welcome, Amil.

16 MR. MINORA: Thank you.

17 MR. DIBILEO: We appreciate you being
18 here and helping City Council out for the remainder of
19 this year.

20 And as I said a little bit later, I'll
21 make a motion to formally have you join us, and if
22 you'd like to at that time make a couple of comments,
23 please feel free.

24 MR. MINORA: Thank you.

25 MS. GARVEY: Fourth order, citizens

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1 participation.

2 MR. DIBILEO: Okay. We have a sign-in
3 sheet for citizens participation, and the first speaker
4 on the list is Andy Sbaraglia.

5 MR. SBARAGLIA: Andy Sbaraglia, citizen
6 of Scranton. Fellow Scrantonians, I hope these girls
7 stay in Scranton after they go to school here, because
8 they seem to be interested at least to come.

9 MR. DIBILEO: Andy, let me quickly stop
10 you right there. Kay, hold Mr. Sbaraglia's time. This
11 evening, and I'm not certain how much longer, the
12 balcony is closed to the public.

13 There was a little problem last week,

14 and we're not going to get into any details, but we
15 apologize for the fact that we have less seating for
16 this evening, and we appreciate everyone's being here,
17 and feel free to make comments.
18 Everyone has up to five minutes to do
19 so, and in the interest of time, we ask that you do not
20 exceed the five-minutes, but we do appreciate you being
21 here, and we apologize for the fact that we don't
22 enough seating this evening. Thank you very much. Go
23 right ahead, Mr. Sbaraglia.

24 MR. SBARAGLIA: A little comment on
25 this 5-C, does anybody know what we're planning to
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1 lease to the Sewer Authority, it's not the police
2 station, is it?
3 MR. DIBILEO: I believe that's the DPW
4 Complex, Mr. Sbaraglia, and it's very similar to what
5 occurred last year at this time, a sale lease back
6 arrangement using the DPW Complex as a mechanism for
7 borrowing money for the City of Scranton.
8 I'm not a lawyer, so I don't know the
9 full details of it, but I understand it's basically a
10 way for the city to borrow money.

11 MR. SBARAGLIA: On the DPW Complex,
12 again the complex, we just put \$12 million out on a
13 letter of credit, now you're telling me that they got
14 it up to \$24 million for this DPW Complex that cost us,
15 what, eight or nine?

16 MR. DIBILEO: That's right.

17 MR. SBARAGLIA: What bank is that with
18 so we can -- maybe I'll do my house, if they're willing
19 to give me three times more than it's worth or four
20 times what it's worth. I mean, this is getting
21 redundant here. Something is definitely wrong if we
22 have to remortgage the mortgage.

23 Okay. 5-C and 5-D, you're going to
24 subrogate some loan agreements, are they 108 loans?

25 MR. DIBILEO: Does anyone have --

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1 MR. SBARAGLIA: 7-C and 7-D. It's the
2 only loans for subrogation now. It has to do with
3 Woolworth Development Company.

4 MR. DIBILEO: Does anyone know if
5 they're 108 loans?

6 MR. POCIUS: No.

7 MR. DIBILEO: Mr. Pocius is saying they

8 are not. He's looking at the backup right now.

9 MR. SBARAGLIA: Okay. Okay. Now we're

10 into the budget. I went over your budget, and there's

11 some really, really figures that really stand out,

12 especially in this miscellaneous loans and cable

13 payback loans here under payback money.

14 Let's see what you got it listed as. I

15 believe it's something, like, \$7 million or something.

16 Well, it has to do with miscellaneous income, plus

17 cable TV income. I believe it was something like they

18 have it coming under the 2006 budget for around \$7

19 million. I wish I could find it here. I should have

20 red lined it.

21 And I think we had something like so

22 far this year we collected something like three or

23 \$400,000, so that's quite a discrepancy. I wish I

24 could find it here. Here it is. Here it is.

25 It's about your third page in. It

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1 says, Cable TV miscellaneous revenue. Cable revenue we

2 budgeted last year \$4 million. So far this year we got

3 \$150,704 that came in on that.

4 This year we're going to, I mean, '06,

5 we're going to put it up to \$6,232,025. Tell me why is
6 there such a discrepancy in them figures? I'm sure if
7 we couldn't make the \$4 million, how are we planning to
8 make the six?

9 MR. COURTRIGHT: You know, Mr.

10 Sbaraglia, while Mrs. Evans is looking at that, there's
11 several questions we have on the budget. This is the
12 budget that was sent to us and we reviewed it, and then
13 next week we'll be meeting as a body to go over it, to
14 kind of pick it apart.

15 MR. SBARAGLIA: Are you going to have
16 the business administrator with you, because the
17 important thing is really to get to see if these
18 revenue sources coming in are fixed and not sky pie
19 numbers that he's pulling them out of the sky because
20 he likes to put them to make the numbers match on the
21 end.

22 The important thing is get with that
23 business administrator and go over every damn item in
24 this thing and then see if we're going to get the money
25 to come in or, like I told you, it's sky in the pie.

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1 Many times I came before this Council

2 and told you that whatever is being done doesn't make
3 sense fiscal. It didn't make sense then, it don't make
4 sense now. In fact, we're sinking into a quagmire.
5 When this man came before you and said
6 with the water company we were on firm ground with this
7 deal with the water company, but we were on quick sand.
8 We weren't on firm ground, we sank, and the poor people
9 of Scranton took the punch again, and we constantly
10 take a slap in the face.

11 MS. GARVEY: Your time is up, sir. I'm
12 sorry I didn't remind you at the one minute.

13 MR. SBARAGLIA: Oh, that's okay. I
14 wasn't going to talk too much anyway. I got a sore
15 throat. But you've got to get more aggressive in these
16 thing.

17 I know you're all democrats, but that's
18 not the point. The point is, you're all citizens of
19 Scranton, and that should be primary what you are.
20 You're elected by the citizens because they believed
21 you can do an honest and good job, and you must do it,
22 and I won't talk anymore. Thank you.

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

24 Just quickly to answer your question, though, Mr.
25 Sbaraglia, that line item that you're referring to, the

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1 cable TV revenue item, and for '05, the \$4 million that
2 was borrowed last year for the '05 budget year, this
3 year under the projected line item is again the cable
4 TV revenue of approximately \$780,000, along with \$6.2
5 million that's being requested to be borrowed, which
6 makes up the roughly \$7 million. Thank you.

7 MS. EVANS: I just wanted to add
8 something, Mr. Sbaraglia. Please excuse me if I'm
9 repeating anything, because I was involved in a
10 conversation with a colleague as Mr. DiBileo addressed
11 you, I think you're right on target to be focusing on
12 the revenue side of this budget.

13 As shocking as the expenditures are,
14 and the fact that absolutely no cuts have been made, I
15 think what's far more suspect is the revenue side, and
16 that's something that I'm going to address tonight
17 under motions.

18 MR. SBARAGLIA: Thank you.

19 MR. DIBILEO: Thank you, Mrs. Evans.

20 Lee Morgan.

21 MR. MORGAN: Good evening, Council.

22 MR. DIBILEO: Good evening.

23 MR. MORGAN: I'd like to say that I

24 think there are two people that are qualified to be the

25 secretary for Council, like Jay Saunders was, and I

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1 think that Kay should be considered, and I think that

2 Christopher Phillips should be considered, and the

3 reason I think that is they're both qualified. Kay has

4 worked in Council, she knows the way Council functions,

5 I'm sure she's done most of the work in Council.

6 I'd like to see somebody

7 non-politically based in Council that's competent and

8 able to perform the functions of that office, and I

9 really think that she should be considered, and the

10 other person I think that should be considered is

11 Christopher Phillips, because he's a very well-educated

12 man who has attended law school, he's well versed in

13 city business, and I also think that he can do the job,

14 and I think that those two people should be

15 considered because of their qualifications.

16 The other thing I have is, we really

17 need to take a good hard look at the budget, and we

18 need to not jump into anything before we know -- before

19 every resident in this city knows where this city is

20 fiscally.

21 And I would once again request that

22 Council hold special meetings and go through the budget

23 line by line and explain to the residents of this city

24 how the city's money is being spent, how much money is

25 being borrowed, what the focus of that borrowed money

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14

1 is.

2 I'm really -- you know, you need to

3 take a look at 7-H, because I had an opportunity to

4 come into Council today, and we're going to do a low

5 interest loan for North Scranton.

6 And you know what, we've thrown so much

7 money at that school between the state and the federal

8 government, and, you know, I really have to question

9 all the money that's being spent up there.

10 You know, it would be a nice thing if

11 some the investors would actually invest their own

12 money and move a project in this city with only their

13 capital.

14 And it seems like every resident in the

15 city is financing money for projects, but they have no

16 money to fix their own homes, they're hard pressed to

17 pay taxes, and I find it very troubling that this
18 administration continues to borrow money with no limit.
19 And I'd like to say that I think it's
20 time for Council to put a limit on it and to rein the
21 administration in and let's cut the budget, and that's
22 why I think it's important for Council to hold a
23 special meeting and go through this line by line and
24 let the residents of this city understand exactly
25 what's taking place here.

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1 And the last thing I have is, you know,
2 there's some idea that CRF is going to come up tonight,
3 CRF was a bad idea to start with it, it's not a good
4 idea now.

5 And, you know, I'm very troubled that
6 the election is over and we're going to try to move
7 something that doesn't have the best interest of the
8 residents of this city. We need to do something in
9 this city for the residents and the neighborhoods.

10 And you know something, I think it's
11 time for that to take place here, and I'd appreciate it
12 if this Council would do that. Thank you.

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

14 Charlie Newcomb, Jr.

15 MR. NEWCOMB, JR.: Good evening,

16 Council.

17 MR. DIBILEO: Good evening.

18 MR. NEWCOMB, JR.: I wasn't planning on

19 coming here tonight, but a couple things came up that I

20 wanted to come for.

21 As you stated before, this past week

22 Scranton, in my opinion, lost a very good gentleman. I

23 met Mike Ferke years ago, and as far as I have known

24 him, he was not only a firefighter, but he was a

25 fighter to friends and hundreds that knew him.

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1 He watched these meetings and

2 participated at them occasionally, and I received phone

3 calls from him on a weekly basis and chanting what goes

4 on here.

5 I will personally miss him, and my

6 condolences go out to him and his family, and

7 especially the brother firefighters, which I would like

8 to ask, when I came here today, how come the flag

9 outside isn't at half-staff?

10 MR. COURTRIGHT: I could answer that,

11 Charlie. My understanding is there's a law that only
12 the Governor or the President of the United States can
13 order a flag at half-mast, so we asked that question,
14 and I don't have the exact law for you, I apologize,
15 but if you'd like, I could try to find it for you.

16 MR. NEWCOMB, JR.: Thank you. I

17 basically am here for the following reason, again, I
18 have yet to receive a response for the water problem
19 that I have in front of my house.

20 I went out to measure the other day,

21 and I measured 32-feet long by 4 and a half feet wide.

22 And what happens in the winter when you have a cold
23 night? Water freezes.

24 So, I have a 32-foot-by-4 and a

25 half-foot piece of ice in front of my property and my

17

1 neighbor's property.

2 The catch basin on the corner of

3 Lafayette and north Cameron Avenue is filled with

4 leaves, so whatever water is able to go in there, can't

5 get in there.

6 So, I want to know when somebody breaks

7 their leg or something in front of my house, where do

8 we send the bills to, do we send them to DPW, do we
9 send them to the mayor, since they ignore me. Where do
10 we send the bills to, that's what I'd like to know.
11 I don't understand why I can't get an
12 answer. I hope it's not a prejudice issue. I
13 contacted DPW the other day, and they told me I was on
14 the wrong side of the fence politically, and that's why
15 I can't get it fixed.
16 And I didn't want to say that, but it's
17 a shame, but that's what I was told. I don't know
18 where else to turn. I don't know -- you hate to go
19 legal, but what other avenues do I have to go to fix a
20 problem that is not my problem, and you're afraid that
21 somebody is going to fall and kill themselves or
22 somebody will come down the street and slide into your
23 house. What are you supposed to do to correct the
24 problem?

25 Now I see in the budget that George

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1 Parker needs an assistant, when I can't even have the
2 courtesy of getting a two-line answer as far as how to
3 correct the problem in front of my house. I don't
4 understand.

5 Can we also -- do we also know how many
6 homes were burglarized in the past few weeks? Do we
7 have a total number? Because I heard a number today
8 and it shocked me.

9 MR. COURTRIGHT: What number did you
10 hear, Charlie?

11 MR. NEWCOMB, JR.: In the sixties.

12 MR. COURTRIGHT: You're probably right.

13 I don't know for exact. You're probably right.

14 MR. NEWCOMB, JR.: I heard

15 approximately 62 within the past six weeks.

16 MR. COURTRIGHT: I would say that's

17 close to being right.

18 MR. NEWCOMB, JR.: Well, all I can say

19 is, I told you so. I don't know what -- and some other

20 people said we told you so, too, but -- it was funny,

21 this past weekend I actually went to Home Depot and

22 bought a dead bolt. I saw Mr. McTiernan there. It's

23 scary. It shouldn't have to come to that, but that's

24 actually what it's coming to. And -- I don't know.

25 And it also -- does anybody know if

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1 it's true, and I'm just asking this, because I heard it

2 as a rumor, I'm not making a statement, is it true that
3 a member of the mayor's family is participating -- is
4 part of the transition team for interviews for some of
5 these new positions that are supposed to be in the
6 budget? I just heard it as a rumor, and I don't --

7 MR. DIBILEO: I don't know.

8 MR. NEWCOMB, JR.: -- want to mention
9 names, because it's a rumor.

10 MR. COURTRIGHT: I don't know.

11 MR. NEWCOMB, JR.: Okay. Is the CRF
12 issue going to come up again tonight?

13 MR. COURTRIGHT: I'm going to speak on
14 it when it's my turn to speak.

15 MS. GARVEY: You have one minute left.

16 MR. NEWCOMB, JR.: Thank you. I'd just
17 like to know, can you tell me if the motion is going to
18 come up tonight, what is different about it today than
19 it was the Thursday before the election or any time
20 before the election, did you receive correspondence
21 from the mayor that tells you where the money is going?

22 MR. COURTRIGHT: I had a conversation
23 with him, as I mentioned the last meeting we had, and I
24 asked him questions, and I will explain everything to
25 everybody when it's my turn to speak.

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1 MR. NEWCOMB, JR.: Before I leave, I
2 just want to say, please, at the end of this year, we
3 can't afford any more. I don't care how you do it, but
4 don't give a nickel out.
5 I stood here last year and pleaded the
6 same course, but unfortunately we lost again. Trim the
7 fat. That's the only way. The school board is going
8 to hit us, unfortunately I think, with a six percent
9 raise.
10 We're not getting a tax increase this
11 year, but, boy, we're going to get hit with it
12 sometime, and it's going to be significant.
13 So, every nickel that you give this guy
14 is going to come out of our pockets, whether it's
15 today, tomorrow or four years from now, we're going to
16 have to pay. So, I ask this Council, please, don't
17 give these positions out for \$50,000 to political
18 friends when I'm going to have to pay for that four
19 years from now. Thank you.

20 MR. DIBILEO: Thank you, Mr. Newcomb.

21 Charlie Newcomb, Sr.

22 MR. NEWCOMB, SR.: Good evening,

23 Council.

24 MR. DIBILEO: Good evening.

25 MR. NEWCOMB, SR.: Just one question,

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1 Mr. DiBileo, about some of the appointments that you

2 mentioned, just one question, I'd like to welcome Mr.

3 Minora, and the question is, Are we paying the same

4 salary that we were paying Mr. Walsh or is there a

5 different salary for our solicitor now?

6 MR. DIBILEO: As far as I know, the

7 salary would be the same.

8 MR. NEWCOMB, SR.: It will be the same?

9 MR. DIBILEO: It is the same through

10 the rest of this year, and the payroll figure in the

11 budget for '06, is the same as it is for 2005.

12 MR. NEWCOMB, SR.: Okay. Very good.

13 My next question was about the flag, but Mr. Courtright

14 explained that.

15 A little bit on the budget, I did read

16 some things that were in the budget, and like you said,

17 Mrs. Evans, you know, there's a lot of things in there

18 about expenditures and salaries, not too much about

19 revenues.

20 Mr. Miller made a comment in the paper
21 about how important it is for PEL to -- the recovery
22 plan has to come into effect because it's starting to
23 get very serious, well, my question to Mr. Miller is,
24 if you looked at the budget, instead of -- I understand
25 the mayor trimmed, I believe it was four union

22

1 positions, pencil pushers, as he quoted them, people he
2 didn't need, but my question is, if Mr. Miller looked
3 at those, you know, uses the recovery plan as the
4 savior here, along with the \$5 million that we're going
5 to lose for the Sewer Authority grievance, why doesn't
6 he complain about the \$50,000 assistant to our director
7 of public safety, and I believe the other salary is
8 \$50,000 for our DPW director, and there's a \$35,000
9 one, I believe, for somebody to -- instead of you
10 getting a machine to answer a phone, why didn't he
11 address those problems that, again, it's the union's
12 fault, it's the recovery plan, we've got to make \$4
13 million concessions in the fire department.
14 And, Mr. Courtright, you mentioned just
15 a little bit, but that was my next question, if you
16 were going to make the motion on CRF this evening,

17 because you said a couple weeks ago you were going to
18 talk to the mayor and see what he had to say, and I was
19 just wondering if your questions were satisfactory or
20 if you still had some doubts about it.

21 MR. COURTRIGHT: Two of them I got full
22 answers to, one I'm still waiting to investigate, and
23 I'll explain later on one has to do with our solicitor.

24 MR. NEWCOMB, SR.: Well, my question on
25 the, not my question, my response on the CRF is this, I
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1 mean, if you people did your investigations and it was,
2 you know, I know it was a three to, you know, the
3 people that voted for it and didn't vote for it, Mr.
4 DiBileo agreed with it, if it was turned down then,
5 again, like, what has changed since then, like, did we
6 -- if the CRF is going to benefit 70,000 people in the
7 City of Scranton, maybe now that we didn't know before,
8 that's a didn't avenue to take, but if the CRF is only
9 going to benefit some trade union people that a lot of
10 them don't even live in the city, which means they
11 don't pay our wage tax or anything, and it's only going
12 to benefit them so they can stay home and have super
13 with their families and sleep in their own beds, well,

14 I understand, I'm about as pro-union as you're going to
15 get, and I'd like to see that happen, too, but not at
16 the benefit of 70,000 other people so some union people
17 don't have to go out of town, they can sleep in their
18 own bed, that was my concern about that.
19 And as far as it goes with borrowing
20 money, we borrowed money last year to make it for this
21 year, I don't know what the number is now, I'm sure
22 it's more than \$4 million, it's probably higher, how
23 could we sit there and just comprehend on lending
24 somebody money, when if somebody came to you and said,
25 You know what, we have to cut the fat in City Hall, I'm
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1 going to get rid of this one, this one, this one, we're
2 not going to hire more, more assistants to the
3 assistants, well, then you know what, it's easy to look
4 at and say, Well, in good faith, they're trying to do
5 the right thing.

6 MS. GARVEY: You have one minute left.

7 MR. NEWCOMB, SR.: Okay. Thank you.

8 When you want to keep borrowing money and borrowing
9 money and borrowing money, and using the recovery plan
10 as your savior down the road, it's going to -- it's

11 putting us in deeper.

12 There's a \$52 tax in there, the

13 municipal tax, so the people are going to have to pay

14 \$52, that's one increase they have, and the school

15 board, where I believe, you know, there's not too much

16 fat cutting the school board either, they're going to

17 -- could chance to hit us with six percent of an

18 increase.

19 So, right away off the bat the people

20 are going to end up paying more, I believe, in 2006

21 than they're already paying in 2005, never mind any

22 more.

23 So, just in closing, please try to mix

24 -- I know your amendments to the budget last time got

25 vetoed, but just don't give a blank check without

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1 making any -- trimming the fat. There's no attempt on

2 the other side, we're using the recovery plan as a sole

3 source.

4 We lost another arbitration, I believe,

5 about the 2004 pay raise, when I came here and said

6 that, you know, it happens every 11 years, you're going

7 to have to pay these people, you did it before.

8 Everybody said, Well, the recovery plan
9 is not -- you just lost it in court last week. We lost
10 another arbitration in court.
11 So, we owe these people the money. We
12 can't keep hoping the judges are going to say, Well,
13 no, no, no. As of right now, we lost millions of
14 dollars in arbitration from a mayor who said we were
15 never going to take any cases to arbitration.

16 MS. GARVEY: Time is up.

17 MR. NEWCOMB, SR.: So, just, please,
18 when you vote on the budget, just remember, you cannot
19 keep borrowing without trimming, because sooner or
20 later it catches up with you. Thanks.

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

22 Terry Osborne.

23 MR. OSBORNE: Good evening, Council.

24 My name is Terry Osborne, I reside at 2644 Birney
25 Avenue. I'm here again this week to talk a little bit

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1 about some of the happenings with our pension fund. As
2 you know, I'm the fire representative to the Composite
3 Pension Board.

4 Before I get to that, though, I would

5 like to thank the Council for their prayers tonight for
6 our Brother Firefighter Mike Ferke. I spent some time
7 with Mike's family this week, and we have a
8 responsibility.
9 Mike was not only a great firefighter,
10 he was a great fighter, and we're going to have to make
11 sure that his sons know the stories of Mike.
12 When I leave here tonight I'm going to
13 meet some state association people. Mike's not only
14 going to be honored locally, Mike's going to be honored
15 by firefighters across the state.
16 But back to the pension stuff, and,
17 again, I'm sure you guys know Mike was one of the guys
18 that came here fighting for our pension board, he
19 served as the chair for the firefighter's board.
20 The mayor's veto was not overridden
21 unfortunately. That would have put our board back to
22 true members for our pension board, the members that
23 are called for by state law.
24 I did have to leave the meeting that
25 night, and some time later got to see the tape as to
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1 the explanations for and against the override.

2 Bobby, I thank you for your kind
3 comments, but I have to be honest in saying, I was a
4 little confused with all the information we had
5 provided to this Council.
6 The discussions centered on some
7 discussion with members of the administration and also
8 with some of the lawyers for the administration.
9 I thought I had made it perfectly clear
10 before the ordinance had even come here, I specifically
11 discussed that with your solicitor, Mark Walsh, and
12 later with Frank Blasi, who replaced for Mark Walsh,
13 and they were perfectly confident that we were safe and
14 it was proper for this Council to introduce that
15 legislation, despite that court case.
16 This legislation would have made that
17 court case moot. You know, going back years and years
18 ago, our great forefathers formed a Constitution that
19 had the judicial, the administrative, executive and the
20 legislative.
21 I found it peculiar that the
22 legislative would go to an answer from the
23 administrative, when your own lawyers in fact spoke to
24 that.
25 These administration lawyers were the

1 same lawyers who were cited for having bad faith in the
2 arbitrator's ruling.

3 These are the same lawyers who drew up
4 this ordinance or at least reviewed the original
5 ordinance when they introduced this ordinance in 2003,
6 and I found it peculiar back then, and we discussed it
7 with the state, and it still strikes me as peculiar,
8 they amended establishment of the various pension funds
9 into a single pension trust fund pursuant to
10 Section 609B of Act 205. This is Act 205.

11 There is no Section 609B. Section 609
12 simply states, The commission may issue any rules,
13 regulations necessary in the effective administration,
14 operation, provisions of this act.

15 There is no Section A, and there is no
16 Section B, yet these are the lawyers who apparently
17 advised that it would be a good idea not to override.

18 But, again, that's water over the damn, I guess.

19 I'm sure we will be upheld in court.

20 The unfortunate thing is this Council could have
21 stopped the payment of the interest that is being
22 attached to that award and failed to do so.

23 Gary, I do want to thank you for the
24 comment you made. I actually wrote them down after
25 reviewing the tape. You stated, No one more than the
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1 employees themselves have the best interest of the
2 taxpayers and their pension fund in mind in handling
3 the pension fund.
4 I could tell you since 1984, that has
5 been absolutely accurate. I think we did pretty well
6 with it, and up until this agreement that is now ending
7 its fifth year, you know, and we're going to be
8 obviously coming out, and you as releasing legislation
9 on that, we did do very well, and the reason we did
10 well, I believe, is that the politicians stayed out of
11 it. We ran our fund.

12 MS. GARVEY: One minute left.

13 MR. OSBORNE: We made recommendations
14 to City Council, and City Council always historically
15 unanimously approved our references to this City
16 Council.

17 I was copied on a letter today from our
18 solicitor, Mike Savitsky, a letter sent to
19 Solicitor Farrell, as you guys are aware. When all

20 these people who were stacked on our board showed up
21 for the meeting, there was a vote taken. That vote had
22 to be set aside, because there were not proper proxies.
23 The board met again this week, and by a
24 7-2 vote, that being the six employees and our
25 controller, Roseanne Novembrino, who was absolutely
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1 eloquent at the meeting, Roseanne spoke her heart,
2 Roseanne spoke her mind, and Roseanne spoke in the best
3 interest of the pension fund and voted with the
4 employees, and Mellon Bank was endorsed by a 7-2 vote.
5 You will be receiving that, and it is
6 our hope that, as it was always historically done, we
7 will get the unanimous endorsement of this Council so
8 that our pension board can move on and get back to
9 where we used to be. That's our hope. And when you
10 get that, I'd like to thank you for making that
11 consideration.
12 And I was asked by a couple of the
13 employees who serve on our board, I know from time to
14 time you hold caucus meetings, if there is any
15 questions, because there's been publicity out there
16 concerning the different proposals and that, but if

17 there's any questions at all, several of our members
18 stand ready to meet with all five of you in caucus, if
19 you find that to be proper or however you guys want to
20 handle that, because as I said, that legislation will
21 be coming forward to you.

22 We are anxious to move on, and in the
23 interest of the employees and in the interest of the
24 retirees, we think we did the right thing.

25 MS. GARVEY: Your time is up, sir.

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1 MR. OSBORNE: And as you mentioned,
2 Gary, we think we did what is in the best interest of
3 the taxpayers.
4 So, again, I thank you very much for
5 your consideration, and most particularly I thank you
6 for your kind words about Mike Ferke. Thank you.

7 MR. DIBILEO: Thank you. Thank you.

8 Thank you, Mr. Osborne. Mary Chilipko.

9 MS. CHILIPKO: Good evening. I planned
10 to come here tonight to speak of the accomplishments of
11 the neighborhood of Pine Brook, of which I'm the vice
12 president, over the past year and the strides we've
13 made to improve the quality of life in our

14 neighborhood, which I've become very proud of.
15 We've opened a community action center,
16 initiated a newsletter, held a Halloween party for
17 neighborhood children, and became active with projects
18 at John Adams School, as well.
19 We've become able to work effectively
20 with the Scranton Police Department and commend several
21 of its Lieutenants, Namiotka and Crofton, Sergeant Dan
22 Duffy, and Officers Stafursky, Westgate and Phillips.
23 Through information exchange,
24 communication and arrests, we've been able to reduce
25 some of the crime on our streets and reduce the
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1 presence of illegal drugs.
2 My hope was to ask for cooperation from
3 the Council and continued unity in the future, and to
4 wish the departing Council members well.
5 Personally, I'm naive. I was stung
6 yesterday by the article in the newspaper about the
7 hiring of a new City Council clerk. I thought, I might
8 qualify for that position, and naively decided to
9 submit an application and a resume. Oh, there was no
10 application, a resume. Welcome to politics.

11 I was called to say that there was an
12 interview today at 5:30 p.m., no appointment scheduled,
13 just show up there. They didn't know what would
14 happen.

15 We the applicants, as a group, were
16 gathered together to be informed that interviews would
17 not be conducted, and I guess in hindsight the new
18 Council would advertise, interview and select a
19 candidate to fill the position in the future.

20 But we were also informed that as
21 ridiculous as it seems, although Council will go
22 through the process, the City Council Clerk position at
23 \$41,000 a year plus benefits is a patronage position
24 with no qualifications required working at the will of
25 the Council.

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1 Surprising to me, since the article
2 also mentioned the need for the clerk's input on the
3 new budget. Surprised, no, disgusted, yes.
4 I'm still trying to take all of this
5 in. This is quite a unique experience, the blatant
6 admissions that were made, and what's most discouraging
7 to me is to watch all these young people gathered here

8 in the audience. I'm embarrassed for them.

9 My first visit to Council is a

10 disappointment. Change for the better in Scranton?

11 Reducing cronyism?

12 For those and others like me who are

13 willing to get involved in our neighborhoods, it's a

14 slap in the face. I certainly withdraw my name for

15 consideration for this position. Thank you.

16 MR. DIBILEO: Thank you. Thank you,

17 Mary. And I'll address part of the topic that Mary

18 discussed tonight about the fact that earlier there

19 were going to be interviews for the city clerk's

20 position, and I'll do that under motions when it's our

21 turn to speak. Ozzie Quinn.

22 MR. QUINN: Good evening. Ozzie Quinn,

23 President of Scranton Lackawanna County Taxpayers and

24 Citizens Association.

25 Last week the county agreed to borrow

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1 \$30 million, and in addition, the school district

2 agreed to borrow another \$7 million, and now we have

3 the mayor, whose administration is \$200 and some

4 million dollars in the red asking you people to borrow

5 \$12 more million. That is ridiculous. This man just
6 doesn't get it. The taxpayers can't afford it.
7 Let me explain something, it was
8 printed this week that in Lackawanna County the mediate
9 income was \$36,632, compared to the state, which is
10 \$41,600.
11 Of the 31,307 households in the city,
12 18,287 or 58 percent are below the mediate income.
13 8,026 families or 44 percent are below the mediate
14 income.
15 This isn't becoming an economic
16 problem, this is becoming a social problem. Step out
17 of the box, please, and look at what you're going to do
18 to some of these poor homeowners.
19 We got over 12,000 people on Social
20 Security. Some of these people will lose their homes,
21 some of these people don't even know how they're going
22 to heat their homes this year.
23 What I wanted to do is, I beg you, the
24 five Councilmen, step out of that box, look at that
25 budget and think about how your families are going to
35
1 feel someday, and please vote the way your conscience

2 does, not how the mayor tells you. Thank you.

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

4 Bill Jackowitz.

5 MR. JACKOWITZ: Bill Jackowitz,

6 taxpayer, city resident, registered independent voter,

7 retired military.

8 Two weeks ago, as a matter of fact, it

9 was two weeks ago tonight, Thursday night, I was

10 watching Fox News, Hannity and Colmes Show, their guest

11 that evening was John Walsh, the creator of the TV show

12 America's Most Wanted.

13 Mr. Walsh was talking about the

14 Stockholm Syndrome. For those of you who do not know

15 what the Stockholm Syndrome is, well, it's when a

16 person or person become a hostage or are continually

17 abused and they start to side with the hostage taker or

18 the abuser, it also could apply in a small amount of

19 cases with a prisoner or war.

20 The Patty Hearst case is the most

21 referred case, but there have been countless others.

22 My belief is that elected officials fall into the same

23 category.

24 You take an honest man or a woman whose

25 intentions are to work for the people who elected them

1 to their political office.

2 After a very short period of time, you

3 notice a change in the way they think, speak and pass

4 legislation. A good example in Scranton is the school

5 board.

6 When The People's Team ran the first

7 time, they were going to stop construction of the new

8 school, but after they were elected, they changed their

9 whole approach against the wishes of the Scranton

10 voters who voted these politicians into office.

11 Now that The People's Team has some

12 seniority, they're raising taxes, spending money

13 foolishly, basically have no regard for the taxpayers.

14 Same applies to city government. Some

15 good people have been elected. Four years ago the

16 citizens, myself included, voted overwhelmingly to pass

17 the recovery plan.

18 I voted for a mayor who was going to be

19 the sixth councilmen, who was going to lead the city

20 out of debt, distressed city status and make Scranton a

21 better place to live. Did any of this happen?

22 The Stockholm Syndrome set in. The

23 elected official that I voted for became a politician.

24 He must have started to listen to all the politicians

25 that surround him. He became just like them.

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1 This also applies to City Council. The

2 year 2006 is coming closer every day. Changes will be

3 happening, they always do. My hope for the City of

4 Scranton is that our politicians become elected

5 officials, that every issue is checked, rechecked and

6 checked again, that the straight personality voting

7 line is stopped.

8 The 3-2 vote helps nobody but the

9 politician. The citizen suffers. The politicians reap

10 the benefits.

11 To all the working people of Scranton,

12 Pennsylvania, when you wake up at five or 6 a.m., pack

13 your ham and cheese sandwich, apple or banana and go to

14 work, on payday when you check your account to insure

15 your check was deposited, when you recline in your

16 recliner that evening and you start to read The Times

17 Tribune about how your taxes are going up, city loses

18 another arbitration, the city hires more administrators

19 for exorbitant wages, low salaried employees let go, a

20 crime was committed in your neighborhood, remember the

21 promises that the person you supported made. Keep a

22 diary so the next time you will not be fooled again.

23 An to the politicians I say again, The

24 coverup is what leads to trouble. Elected officials,

25 do not give up the fight. Your supporters will know

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1 when you do.

2 I already see the Stockholm syndrome

3 happening with the newly elected City Council members,

4 two for Doherty, two against Doherty, swing vote

5 needed. How about we change that total, five for the

6 citizens, zero for the politicians.

7 The city cannot back up any further,

8 otherwise they will fall over the cliff. The rope will

9 not be long enough to pull the citizens to safety.

10 So, I again appeal to the working

11 retired people. The average citizens, become involved,

12 at least pay attention, speak up, speak loudly when you

13 dislike. Keep the pressure on the politicians or elect

14 to fall off the cliff.

15 Elected officials, do not back up, or

16 you will fall off the cliff. The politicians, they are

17 hopeless. They are already are laying at the bottom of
18 the gorge where they belong.

19 MS. GARVEY: You have one minute left.

20 MR. JACKOWITZ: My hope is that the new
21 Council will not allow their strings to be pulled. Cut
22 the wires, be independent and responsible for your
23 choices. Remember, 70,000 people are depending upon
24 you.

25 There are three choices, the right
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1 choice, the wrong choice, or the common sense choice.

2 My choice has always been the common sense choice. I
3 speak for myself only and for myself. I will not be
4 intimidated.

5 And, Mr. Courtright, on this CRF thing
6 that you talked with the mayor about, do you have it in
7 writing what he said he was going to do? Is it signed
8 by him and has it been notarized?

9 MR. COURTRIGHT: No, I don't.

10 MR. JACKOWITZ: Well, then I don't
11 think you should even consider it until he does that,
12 because we have been told things in the past, and they
13 didn't work out.

14 MS. GARVEY: Your time is up, sir.

15 MR. JACKOWITZ: And also, it seems to
16 me that sometimes the speakers are more knowledgeable
17 than the Council people are, so I really think you guys
18 need to pay more attention, because sometimes you're
19 asked questions and you don't have a clue as to what
20 we're talking about. Thank you.

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

22 Bob Bolus.

23 MR. BOLUS: Good evening, Council, Bob
24 Bolus, Scranton. I'd like to take a minute and kind of
25 talk about Mike Ferke.

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1 You know, he stood at this lectern, he
2 was a city employee, but you know what he was, he was a
3 Scrantonian first.
4 He was a guy that, you know, I've grown
5 to respect. You know, he said what he had on his mind,
6 even though his job created problems for him by coming
7 here and speaking.
8 As we all know, when you work in the
9 city, if you speak out, you could expect repercussions
10 somewhere along the line.

11 But Mike stood up when we went to court
12 just part of the lawsuits that helped bring certain
13 things here to the city that he joined in on, and I
14 think we're all going to miss him for his wisdom and
15 some of the things he came out and spoke about, but
16 also as a fireman and a Scrantonian.
17 And, you know, my condolences go to his
18 family and to everyone out there that are going to know
19 down the road that they're going to miss a good guy,
20 that the city will miss.

21 Amil, it's nice to see you sitting
22 here. Hopefully they're going to keep you here, we'll
23 have somebody to pick on. It's too bad to see Mark go,
24 you know, he was fun to pick on, so hopefully you'll be
25 here.

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1 And my suggestion to Council would be,
2 we're looking to put a new clerk in, I don't think you
3 have to look any farther than Kay, and I would hope Kay
4 would take that job, and I would hope this Council or
5 the Council coming in would sit here and endorse that.
6 We don't need inexperience in here, we
7 need somebody that will concern themselves with the

8 integrity she's had for the city.

9 On East Mountain Road, we put a new

10 road in, and I think somebody has to look into it,

11 whether it's George Parker, or whoever the engineer is

12 that did it, we have parking all along East Market Road

13 coming down there on the right-hand side, we widened

14 the road out, we might as well left it the way it was

15 before.

16 There's no way you're going to remove

17 snow, send a plow down there to try and remove snow

18 with all the cars parked on the right side of that road

19 coming down.

20 I mean, it was the most asinine thing

21 I've seen in a new road construction to put all this

22 parking down there. They parked in their driveways in

23 the past, they should have stayed parked in their

24 driveways, and that road should have been for safety

25 purposes that it was designed.

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1 The way it is now, I hate to see how

2 many accidents are going to be on that road when cars

3 wipe out other cars parked there. So, I think the city

4 needs to really take a good hard look at it.

5 When I was here a couple weeks ago I
6 had made a statement about the President being at
7 Tobyhanna and a Sergeant laid out at the Armory, that I
8 felt that it was the President's responsibility, that
9 he sent this man into battle, the least he could have
10 did is taken a couple of moments and stopped by and
11 paid his respects, and I had said that he had been
12 killed in Vietnam, because Jay had interrupted me with
13 his bell, but I really meant to say it was Iraq, and I
14 wanted to set that straight, and I still feel very
15 strong about that.

16 You look around and see the city and
17 you see gas prices around here, and I think not only
18 Council, but the city and the boroughs in these areas
19 have to start paying attention.

20 I saw gas go at a Sheetz today to \$2.15
21 a gallon, when down the street it's \$2.07. Up in
22 Carbondale it's \$2.02. I mean, what kind of game are
23 they playing with everybody around here?

24 And I think we need to ask our
25 legislators to put some teeth into a bill or an action

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1 to bring these prices in line. They affect every

2 senior citizen, every business and every person in the
3 community. I personally think we're being gouged, and
4 it's got to come to an end.

5 They said there was no crime in the
6 city, I was away for, like, ten days, and I came back
7 here, that's all I saw about was crime, robberies,
8 everything else. So, I don't know what the mayor was
9 saying in the past, the city is crime free, so to
10 speak.

11 You know, we see this budget coming up
12 and everybody questioning the budget, I haven't seen
13 anybody take and stand here and say, We can't borrow to
14 get out of debt, it just doesn't happen.

15 MS. GARVEY: One minute left.

16 MR. BOLUS: Major corporations are
17 cutting people out, they're shutting down plants, we
18 need to do that in the city. We have to stop where
19 we're going. We need to put legislation on the map.
20 KOZs and non-profits have to pay their share. Stop
21 taking it out on the citizens and let this mayor start
22 doing something around here.

23 Captain Mitchell came out and said all
24 the things about the city, and everything was great, I
25 spoke to him when he was a police officer, and it

1 wasn't that great when he told me about it, the police
2 cars, the conditions in the police department, the fact
3 that they were in a parking garage doing things, and
4 why is it all of a sudden the attitude change? Why
5 isn't he supporting the people that allowed him to get
6 the pension and the benefits that he's getting right
7 now? And that's what turns me off in this city.
8 These people all got something from the fire
9 departments, the arbitrations and everything else.
10 In the paper, in today's paper, in
11 fact, Pittsburgh ruled, you know, quickly under
12 arbitrations, but Harry Miller from the PEL said,
13 Arbitrations ruled quickly were there, but there was no
14 arbitrations in the City of Scranton. How can the city
15 start to save money if we don't have an arbitration and
16 a decision? They've been delayed.
17 MS. GARVEY: Your time is up, sir.
18 MR. BOLUS: The mayor and the unions
19 settled this in the past, but when Connors was in
20 office, he sat with them, and for four years, Chris
21 Doherty hasn't sat with anyone.
22 And I'm going to take this real quick

23 and I'm going to move on here. I had brought up the
24 issue about the school list in the past, I asked
25 Council to look into it, it's been ignored, the city
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1 needs to look into this, the school district needs to
2 look into it, somebody needs to look into why that
3 information was given out to Chris Doherty's son and
4 used in a campaign. That's confidential and private
5 information, and somebody has to be held accountable,
6 no more than somebody's got to continue to raise the
7 issue about Chris Doherty's campaign finances and his
8 campaign where he took money from his corporation,
9 nothing was ever mentioned in The Times, everybody's
10 let it slide. This cannot be left under the rug, when
11 we're handing this guy \$60 or \$70 million to run a
12 city.

13 We need credibility and we need
14 accountability.

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

16 MR. BOLUS: And it has to be checked
17 out, and I'm asking this Council once and for all to
18 ask this be put forward to the district attorney to get
19 answers on the school board and on Chris Doherty's

20 campaign finances.

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

22 MR. BOLUS: You're welcome.

23 MR. DIBILEO: Doug Miller.

24 MR. MILLER: Good evening, Council,

25 Doug Miller, Scranton.

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1 MR. DIBILEO: Good evening.

2 MR. MILLER: I hope everyone had a nice

3 holiday and enjoyed their vacation.

4 MR. DIBILEO: Very nice, Doug, thank

5 you. I hope you did, too.

6 MR. MILLER: The first thing I have

7 tonight is regarding the city clerk position, I think

8 it's good to see that the new Council members are

9 getting a say in it, and they're going to be in here in

10 a month, so I think it makes sense to put somebody in

11 here now, and I heard that the decision made today was

12 that we're going to advertise the position.

13 Regarding what happened at Everhart

14 last week, why weren't the police notified first? ADT

15 called the Everhart, and then someone from the

16 Everhart, whoever, contacted the police. My question

17 is, Why weren't the police notified first by ADT? Time
18 is of the essence in any robbery for the police to
19 respond.
20 And regarding the finances of the city
21 and the budget, why can't the city generate money from
22 its assets, instead of borrowing and can't pay its
23 debts and the city is still distressed, according to
24 The Times?
25 And lastly tonight, I would like to
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1 thank Mr. Walsh, who recently has resigned due to
2 health reasons, and I'd like to thank him for all he's
3 done for the city. I know I respect him and look up to
4 him, and we're all thinking of him. Thank you.

5 MR. DIBILEO: Thank you, Doug. Les
6 Spindler.

7 MR. SPINDLER: Good evening, Council.

8 Les Spindler, Scranton resident. I also want to extend
9 my deepest sympathies to the friends and family of Mike
10 Ferke.

11 I got to know Mike over the years here
12 from coming to the meetings, and he was a great guy,
13 and he's going to be sadly missed by everybody.

14 Two weeks ago a speaker stood up here
15 and said he had a meeting with Chris Doherty and Chris
16 Doherty said one reason why he didn't show up when the
17 Veterans came home was because he wasn't invited.
18 It's the most ridiculous answer I ever
19 heard. We're not talking about a wedding here. I
20 think that's a slap in the face to every Veteran past
21 and present.

22 Moving on. Before the election The
23 Scranton Times published editorials and countless
24 letters to the editor accusing Gary DiBileo and his
25 supporters of using these meetings for free political
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1 advertising, well, that couldn't be further from the
2 truth.
3 We've been here for years before the
4 election, and we will be here long after, because we
5 care about this city and the people that live here.
6 Where are Chris Doherty's supporters
7 who showed up just in time for the election never seen
8 in three years before the election and nowhere to be
9 found now?
10 Chris Doherty sent union

11 representatives and other people who were never seen
12 before and aren't seen now with prepared speeches to do
13 his talking for him, yet The Scranton Times never
14 printed a word about that.

15 So, who used these meetings as free
16 political advertising? Chris Doherty, not Gary
17 DiBileo.

18 So, Scranton Times, when you publish
19 your editorials and letters to the editor, why don't
20 you do what we do here, state the facts, not the
21 garbage you publish now.

22 Stop the presses. Oh, I forgot, the
23 election is over. It's okay to start presses again.
24 Before the election, no crime in Scranton; after the
25 election, 48 burglaries in the city, Everhart heist
.
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1 worth millions, three cabbies robbed, driver robbed and
2 beaten, and this from The Scranton Times was before the
3 election have adopted Mayor Chris Doherty's party line
4 that there was no increase in crime since he's taken
5 the police officers off the streets. The criminals get
6 it, no cops, easy pickens. What's changed for The
7 Scranton Times? Their boy is safe now and crime sells

8 papers.

9 Before the election, no debt; after the

10 election, city loses \$500,000 arbitration, firefighters

11 award. Chris Doherty is 1-7 now in arbitration cases.

12 This from a man who campaigned on a promise to follow

13 contracts and to avoid arbitrations.

14 Add this over \$6 million in debt to

15 over \$200 million in long-term debt, that he has

16 saddled our children and grandchildren with, then add

17 the hundreds of thousands of dollars he has given to

18 his friends and consultants and new jobs, raises and no

19 bid or high bid contracts.

20 Well, I guess now we're getting into

21 real money, and this is the only -- oh, and this is

22 only his first term. Now he has four more years.

23 So, before the election, no crime, no

24 financial problems; after the election, rampant crime,

25 huge financial problems.

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1 My question is this, where was the PEL,

2 who we have paid over \$2 million to watch our money

3 while all of this was happening? In shock, or cashing

4 out checks? And where was the Pulitzer surprise

5 winning investigative journalist of The Scranton Times?

6 The Sewer Authority award came down

7 before the election, did The Times know about the award

8 and not print it? Did the city know about it and not

9 release it? Did The Times even ask? Did all the

10 criminals wait until the election was over to get to

11 work?

12 Oh, well, the damage is done. Chris

13 Doherty, The Scranton Times and the PEL all got what

14 they wanted, four more years.

15 MS. GARVEY: You have one minute left.

16 MR. SPINDLER: We can only hope that

17 our children don't learn the lesson that they are

18 teaching, the ends justify the means.

19 Oh, and one more question for the

20 Lynetts, Pat McKenna and Ms. Shedlock, if Jimmy Connors

21 gave hundreds of thousands of dollars to his friends,

22 lost a \$6 million arbitration award, plunged city into

23 debt, left us exposed to criminals, would he be this

24 year's Christmas ornament dangling from the top of The

25 Scranton Times tower?

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1 One more comment to make, Mr. DiBileo,

2 you commented about the policeman upstairs in the
3 balcony, well, I was speaking to him before, he's from
4 car two, so instead of having car two patrol our
5 streets, we have a policeman sitting upstairs making
6 sure no one sits there. That again is the most
7 ridiculous thing I ever heard. Where is this
8 administration's priorities?
9 We've had 62 burglaries in the last
10 month or so, and we have a policeman that's supposed to
11 be riding around in a car sitting up in the balcony
12 watching this meeting. That's ridiculous. Thank you.

13 MR. DIBILEO: And just for the record,
14 I did not see the police officer, but we haven't had a
15 police officer here in two years since the current
16 Council took over, and we did not request anyone to be
17 here tonight. Okay. Gunner Nole.

18 MR. NOLE: Good evening. I'm Gunner
19 Nole, I live in West Scranton. I'm a resident, a
20 taxpayer and a Veteran.

21 MR. DIBILEO: Good evening.

22 MR. NOLE: I'd like to say that I'm
23 proud to be paying taxes in Scranton, the only thing
24 is, I can assure all of you, I could be just as proud
25 paying half the money.

1 This new EMS Tax will replace the
2 current occupational privilege tax of \$10 for city
3 residents and \$15 for non-city residents.
4 With an increased tax of \$52, it is
5 expected to generate about \$1.8 million in new revenue.
6 Actually it's not really generating it, it's simply
7 confiscating it from working Scrantonians and
8 non-residents, revenue, I may point out, from many
9 non-resident people who have no representation in
10 Scranton.
11 Of course, ten Lackawanna County
12 municipalities have already adopted the EMS Tax with no
13 regard for representation for Scrantonians. That's ten
14 municipalities who audaciously extended their greedy
15 tentacles beyond their municipal limits.
16 So, perhaps and with good reason we
17 should reciprocate by taxing those workers who reside
18 in those bold and daring municipalities, the same
19 municipalities who plunder those with no representation
20 and are unable to vote in Scranton.
21 I and many others do not regard the EMS
22 Tax as a life preserver thrown to municipalities by

23 Governor Ed Rendell, we see it more as taxation without
24 representation.

25 At this time I'd like to discuss the

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1 part of Act 222 that covers this EMS Tax, and I'd like
2 to request something of you, as you probably know, I'm
3 sure you all read Act 222, it allows local taxing
4 jurisdictions to provide low income exception.

5 The exception is optional on the part
6 of the municipality or school district. There may be
7 no exemption or an exemption in any amount, so long as
8 the exemption does not exceed \$12,000.

9 A school district and municipality may
10 have different exemptions, however, the two taxing
11 bodies are encouraged to work together to establish a
12 uniform policy. At this point, I don't think that
13 applies yet, but you never know.

14 Local taxing jurisdictions are
15 responsible for refunding the taxes withheld from
16 taxpayers who earned less than the low income
17 exemption.

18 So, if we're going to put this tax in,

19 I would hope, even though it will cost us a few dollars

20 and we won't take in as much money, you'll consider
21 putting an exemption in, I'm sure there's a lot of
22 waitresses and part-time people that make \$10,000 or
23 less, and \$52 getting whacked in January is probably a
24 little bit of a hardship for them.

25 Many of us spend more than that at a

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1 night at the movies, but to some other people, \$52 is
2 quite a bit of money coming out of one paycheck.

3 Although it will probably most likely

4 come out of a paycheck, but they'll have to file a

5 rebate form probably with the Single Tax Office to get

6 a refund of that \$52.

7 So, I hope perhaps -- I mean, you could

8 go up to \$12,000, if you want to put it, \$10,000 or

9 \$8,000, maybe you'll consider putting an exemption for

10 low income people in EMS Tax when you do implement it,

11 despite objections of many taxpayers.

12 Okay. So, here we are. Not one nickel

13 of the EMS Tax has yet been collected, but already it's

14 obligated and spent in conjunction with the additional

15 borrowing.

16 I was hoping we'd be able to have a

17 balanced budget bringing on this new tax, but I guess
18 -- maybe I'm mistaken, it's not over yet, I guess.
19 Plunder is becoming a way of life for a
20 small group of elected officials in this city. Before
21 we suffer another fiscally irresponsible relapse,
22 before we foolishly spend more ill begotten money,
23 which we don't even yet have, how about review some
24 other options, like across the board spending cuts?
25 I do not want to see Scranton take the
. . .
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1 place of Harrisburg as the mecca of fraud waste and
2 abuse, and don't give us the hat trick of excessive
3 taxation, excessive spending and excessive borrowing.
4 The election's over. We need you now
5 to have the courage and the intestinal fortitude to do
6 what needs to be done. Roll up your sleeve, sharpen a
7 box of pencils and line out what we cannot really
8 afford.
9 Do what needs to be done. Don't just
10 vote no on this budget. I'm not asking you to be an
11 obstructionist to the mayor, I'm not asking you to
12 punish the mayor.
13 MS. GARVEY: You have one minute left.

14 MR. NOLE: Just fix it and send them

15 back a balanced budget. If he vetoes it and you can't

16 override the veto on it, just shut the city down, he'll

17 sign it eventually.

18 But I really wish that you'd take the

19 strongest consideration. I mean, we just got some

20 additional revenue through taxation to boost up our

21 revenue, and now is a good time -- now is probably your

22 best chance ever you'll have to submit a balanced

23 budget.

24 A couple weeks ago we were hearing \$4,

25 \$5 million, then \$7 million, and now we're up to \$12

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1 million. So, there's no reason -- you know, at least

2 try. Get it close, get it within a million, try to get

3 it under a million, but try to submit a balanced

4 budget.

5 This is your opportunity to shine. We

6 got two outgoing Councilman. You can leave a legacy,

7 you can leave your mark on this city as doing the right

8 thing.

9 There's many ardent supporters of Mayor

10 Doherty, and I'm sure that a lot of them will find some

11 things that they don't particularly like. I haven't
12 met one guy yet that approves of the sale of a golf
13 course, even from his biggest fans. So, let's see if
14 we can serve up a balanced budget and put it back in
15 his lap and give him the ball and see what he does with
16 it.

17 MS. EVANS: Mr. Nole, I just wanted to
18 add that that's precisely what we attempted last year
19 at this time, and that was vetoed by the mayor.

20 MR. NOLE: What happens when it's
21 vetoed?

22 MS. EVANS: Our budget did not pass.

23 MR. NOLE: Okay.

24 MS. EVANS: His budget became --

25 MR. NOLE: Became law by sake of the
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1 veto.

2 MS. EVANS: Yes.

3 MR. NOLE: Well, maybe we're in for a
4 re-run of last year, but at least the citizens of the
5 city will know that this Council has acted in the best
6 interest of the city.

7 And, you know, you can't tax your way

8 into prosperity, and you certainly can't borrow your
9 way into prosperity, so let's see how this all shakes
10 out and do your best.

11 MS. EVANS: Thank you.

12 MR. NOLE: Good evening.

13 MR. DIBILEO: Thank you, Mr. Nole.

14 Mary Jennings.

15 MS. JENNINGS: I'm a little taller, so

16 I got to raise this up here. Good evening, Council,

17 and thank you for the opportunity to speak this

18 evening. I'm Mary Jennings, and I'm a taxpayer, a

19 homeowner in West Scranton, which I'm very of, as well.

20 I came here tonight just to give a few

21 stories and to say a few thank yous. I think it's

22 important. They are two small words, but they have a

23 lot of power, and I wish more people would use them.

24 First I would like to tell you a story

25 about the Citizens Police Academy. I'm a health and

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1 safety educator at Scranton High School, our wonderful

2 high school, Mr. McTiernan, very proud of our principal

3 and the teachers there, the Citizens Police Academy is

4 a course that I saw in the paper, and as a teacher, I'm

5 always trying to update myself, and it is a free
6 course. It's offered to every citizen of Scranton to
7 go. It's an 11 week course, it's offered every year,
8 this is the third year.

9 You are given a background of every
10 department in the police department. I want to thank,
11 first, the police chief, Mr. Elliott, he was there at
12 every class, and every police officer's specialty came
13 in every week for the 11 weeks.

14 We had -- the maximum is 20 students,
15 we had 18 in our class, they varied in all ages, it was
16 great, from University students wanting to become
17 police officers in the future, to people middle-aged
18 like myself, to more senior citizens who are active in
19 our community. So, it was a great class.

20 We all enjoyed it. We stayed extra
21 time because the police officers were so informative
22 and so helpful. So, we don't always see different
23 sides of our policemen, and I hope I bring that to
24 light tonight to our city.

25 I also want to say that I have a story

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1 in regards to our firemen, which I also admire on a

2 daily basis as they go out every day to protect us.

3 I live in West Side, as I said earlier,

4 and there was a fire in my neighborhood that I grew up

5 in in the summertime, the weather was very warm, it was

6 about 95 degrees, and humidity was where you don't even

7 want to move, and these firemen responded in a very,

8 very quick manner.

9 Fire Chief Davis was there on duty with

10 the fire department and they were excellent. They put

11 down that fire very quickly and stopped it from

12 spreading to other homes in my neighborhood that I grew

13 up in, which I was very happy for, and I went there to

14 see if the older neighbors that I grew up with were

15 okay. So, I also want to say a thank to the fire

16 department and all the firemen.

17 The third thank you I'd like to say

18 this evening is to our military. I think we said that

19 in our prayer this evening, and I think we need to say

20 that, especially at this time of year, when so many

21 people have families in the military and all over the

22 world, especially in Iraq, and I believe that we also

23 need to say a thank to the families, as well as the

24 service men and women. And so, my third thank you is

25 to them this evening.

1 I'd like to thank you, Mr. Pocius, for
2 your years of service as a councilman, as a very classy
3 man, not only as a councilman, but as a family man, and
4 I admire you for that. Thank you.

5 The last thing I'd like to say is for
6 all the councilmen and women, and we're going to have
7 two more in January, so I'm happy for that, as said
8 earlier, I thank you for your dedication as Council
9 persons, and I know you vote from your heart, I know
10 you do your research, too. And as long as you do that,
11 you won't have any problem.

12 I'd like to thank my colleagues in the
13 teaching profession. We're unsung heroes, as well.
14 You might always hear bad things sometimes, but I'm
15 here to stand up for all them. I want to thank them
16 for their dedication to our students, elementary,
17 middle and high school.

18 They are unsung heroes, too, in the
19 background. As police officers, you don't always see
20 the investigating going on and you want a quick fix to
21 everything, our firemen, our teachers who are there
22 that are helping our students become our future.

23 I thought I was at school this evening
24 when I came because I was surrounded by students both
25 young and the universities, and I spoke to them before
. .
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1 the Council meeting began, and they're from different
2 Universities, and that's wonderful.
3 I thank my colleagues on that level for
4 giving them a hands-on education here at Council. This
5 is only my second time to come to Council, but I'm
6 active in my own neighborhood, and I live in a great
7 neighborhood, and we have a great crime watch on our
8 block, and we are very close, which I grew up in, which
9 I'm proud of, and we're doing that in where I have my
10 home now.

11 I think we need more of that in the
12 city. We need to be more brothers and sisters, not
13 only in our neighborhoods, but in our public forum, and
14 we need to respect each other, even if our differences
15 are -- our opinions are different, that's okay, but as
16 long as we do it in a positive critical way, instead of
17 negative, and that we help to give solutions to the
18 problems both in our neighborhoods and in our city and
19 in our homes.

20 Last I would like to extend to all of
21 you a blessed Christmas and a happy and a healthy
22 holiday, since I'm a health teacher and a safety
23 teacher, so I had to end it with that. Thank you very
24 much for the opportunity to speak this evening.

25 MS. EVANS: Thank you.

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1 MR. DIBILEO: Thank you.

2 MR. MCTIERNAN: Ms. Jennings, thank you
3 very much for that, and I would add that that's very
4 consistent, that you're always offering positive
5 constructive ideas here, and as well at Scranton High
6 School. Thank you.

7 MS. JENNINGS: Thank you.

8 MR. DIBILEO: Thank you, Mary. That
9 was very nice, and a lot of well deserved thank yous in
10 there. The last speaker on the sign-in sheet is Erik
11 Johnson.

12 MR. JOHNSON: Good evening, City
13 Council and staff. And I personally want to thank the
14 firemen and the police department here in Scranton and
15 our military for doing such an excellent job. I have
16 another member of the family that's going to be a

17 policewoman. My daughter was accepted in the police
18 academy in Evansville, Indiana, and I'm so proud. That
19 will make my two siblings, the only two, being in the
20 police force.

21 MR. DIBILEO: Congratulations.

22 MR. JOHNSON: Thank you. Erik Johnson,
23 resident and taxpayer of North Scranton.

24 I want to thank the quick response to
25 our Scranton firemen and police in reference to
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1 eliminating and investigating an explosion and fire of
2 a stolen truck that was mysteriously parked near my
3 front yard parking area.

4 The quick response saved a wooded area
5 next to my property and possibly my house. I'm glad
6 there was a fire station located at North Main Avenue
7 just minutes away.

8 As for the City Council clerk job, it
9 should be open, also, to the public without politics
10 involved; for example, Mary Ann Wardell and others, to
11 put in their applications for the job, along with Chris
12 Phillips and Kay Garvey, and Mr. Davis and Mr. Dudek,
13 who were mentioned. Experience and qualifications are

14 a huge merit for this job.

15 A lot of people on the street and

16 elsewhere have been asking about Mark Walsh in a

17 positive way to me, likewise a lot of people all over

18 are telling me of their sympathy and sadness of the

19 passing away of Fireman Mike Ferke. I also share my

20 feelings of sympathy and sadness and prayers for the

21 loss of an excellent firefighter in the City of

22 Scranton for the past 13 years. He was fiercely

23 dedicated representing his brother firefighters and

24 many just causes, including foreman president of IAFF

25 Local 60 and the current chairman of the City of

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1 Scranton Firefighters Pensions Board, and to add to his

2 intelligent capability, he was employed as Olyphant

3 Borough Manager, where he was responsible in the

4 downtown to impart new life and vigor to the Olyphant

5 flagging economy.

6 This means this man accomplished more

7 in his short lifespan of a young 42 years than many of

8 us living a full lifespan. Yes, I know Michael, and he

9 will be in his friends and family's hearts forever.

10 I could say more about city business,

11 but at this time I will dedicate my full thoughts and
12 concerns for Michael Ferke, his family and everything
13 he stood for in life. He will be missed by us all.
14 Thank you very much.

15 MR. DIBILEO: Thank you very much,
16 Erik, and we share all of your thoughts and concerns
17 for Mike Ferke and his family. That's it for the
18 sign-in sheet. Are there any other speakers? Okay,
19 Phyllis.

20 Phyllis, now I have to remind you,
21 please, no prayers. Try to stick to city business,
22 please.

23 MS. HUMPHREY: My name is Phyllis
24 Bernadette (UNTRANSCRIBABLE), my mission is for
25 conversion of hearts, ecumenical peace, and return all

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1 to the Lord Jesus Christ.
2 The last time I spoke I had brought an
3 art piece in which I told you had brought numerous art
4 pieces, and ironically hours later the museum was
5 broken into.
6 I have a gift that nobody would ever
7 like, because sometimes it's very horrible. I, like,

8 pull things together, the message is there. It's
9 either handed over to the police, the FBI or the
10 church.

11 A few days later I was walking down the
12 road, and one man's garbage is another man's treasure,
13 and I came up with a lot of art work, and I came upon,
14 this is one of them, I want to show everybody, this in
15 kind of a way represents Abraham, the promise of the
16 stars, the promise of the covenant, the promises of the
17 land.

18 These pictures were by children,
19 children that don't even know that their artwork was
20 discarded. So, what I was thinking of with the City of
21 Scranton, we can get these together, we could get some
22 children to do artwork, because they did it in Saudi
23 Arabia, but some of the artwork that I seen that I
24 handed over to the church was very derogatory, it was
25 very sad, it showed the terrorism, the things that's

66

1 going on in their life, and I thought maybe we could
2 get together in the City of Scranton, read it to the
3 newspaper and have everybody bring in an art piece,
4 and, you know, we would give them something and we

5 could turn them into postcards, that's number one.

6 Now, number two is Satan tries to get

7 you, pull you down and keep you, but you know, I got

8 these springs, and I just keeping bouncing up.

9 Sacrilegious acts is against the church

10 officials or religious articles or people that are

11 consecrated to God.

12 MR. DIBILEO: Now, Phyllis, I have to

13 stop you. I don't think this has anything to do with

14 --

15 MS. HUMPHREY: This has to do with

16 crime. I'm a victim of a rape in the city. No,

17 listen. There's only ten policewomen. Right now my

18 policemen that were up there, they're guarding me.

19 They have guarded me. Listen, there's only ten

20 policewomen in the City of Scranton.

21 MR. DIBILEO: Phyllis, you have to get

22 on city business.

23 MS. HUMPHREY: This is city business,

24 this is about crime. There's only ten women in the

25 City of Scranton that are policewomen in this area, and

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1 I am asking and imploring for them to beef up some of

2 the women, that when a woman gets attacked, she doesn't
3 have to face the male policeman, even though that
4 they're doing their job, that they could have some
5 women policewomen there.

6 This is imperative. The children in
7 the word are being abused, the City of Scranton,
8 there's people throwing their babies out of windows.

9 We can't block these crimes that are going on.

10 These crimes are also unholy acts

11 against the commandments of God and the killing, so

12 therefore I'm asking you -- the other thing is,

13 downstairs they're repairing the downstairs, I seen in

14 the newspaper, and as I travelled, I would see where

15 they have, you know where they publicize all the little

16 booklets, I thought it would be nice for downstairs

17 that they would have a place that anybody came here to

18 the City of Scranton, that they could come to one

19 place, instead of all the pamphlets being thrown all

20 over the place, you know?

21 MS. GARVEY: You have one minute left.

22 MS. HUMPHREY: It would be one place

23 they we could actually put everything that people would

24 come into the City of Scranton, it's a welcoming city.

25 We're lifting up the spirits of our military, everyone

1 in this area. They have to have a room for just a
2 place for pamphlets and everything. So, this is where
3 I'm at.

4 And all I could say, there's a
5 wonderful thing called DNA, and I'm sure when my DNA
6 comes back, somebody is going to be sitting where they
7 really don't like to be. Thank you and God bless you,
8 and thank you, everybody, and I hope you have a happy
9 holiday.

10 MR. DIBILEO: Thank you, Phyllis.

11 Happy Holidays to you, too.

12 MR. DUDEK: Thank you. Mike Dudek, 608
13 Depot Street, Scranton, PA. I wasn't really going to
14 speak tonight until I realized that perhaps maybe I
15 should mention this, on July 20 of the year 1992, that
16 was the first time I met Mike Ferke. He came to my
17 house, I invited him to my home, it was an interesting
18 invitation, he came to my house in a fire truck, he
19 brought an engine, he brought another fire truck with
20 him and he brought an electrician with him, and the
21 reason was because I had to call the fire department
22 because I was getting some sort of odor in my home, it

23 wasn't the odor of gas, but it was the odor of
24 something.

25 I was still on the phone making my
.

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1 complaint, when Mike Ferke came through my living room
2 door. He and three other firemen and an electrician
3 spent 45 minutes in my house tracking down the source
4 of that smell.

5 Now, when the electrician came in, the
6 first thing he did was to cut the power to the house.

7 He found the box in the basement, cut the power.

8 Forty-five minutes later, the smell was
9 still persisting, and it was Mike Ferke who found the
10 cause, and he found it from the basement. I had a
11 wiring fire behind the siding and the wall of the
12 house.

13 And even though the electrician had cut
14 the power, the electricity in this house was so bad,
15 that the power was still on the line that was causing
16 the wiring to melt behind and in the walls.

17 So, we're talking about, as far as I'm
18 concerned, one very spectacular save. My wife and I
19 had bought that house only two weeks earlier, and I

20 thought this might be the appropriate time to come up
21 here and express my thanks again to the Scranton Fire
22 Department for that save. Thank you.

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

24 MR. MCANDREW: Good evening, Council,

25 Larry McAndrew, Scranton resident, Scranton taxpayer,
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1 and also Vice President of the Lackawanna County
2 Taxpayers and Citizen Association.

3 I want to remind everybody that next

4 Wednesday is December 7, Pearl Harbor Day, and I

5 encourage all Americans to fly your flag, the American

6 flag, to support your Veterans and to thank them for

7 our freedom.

8 Now, before the general election here

9 in Scranton, we had Council meetings that were extended

10 for over four to five-hour periods of time, and the

11 reason was because we had two sides here giving

12 different opinions.

13 Mr. Doherty's supporters were all lined

14 up saying how great this city is, how they came back to

15 this city because they enjoyed living here. Well, I

16 ask them now, take into consideration Mr. Doherty's

17 budget for 2006, and what his plans are for this city,
18 borrowing, borrowing, and more borrowing. As taxpayers
19 of this city, we cannot tolerate this, we cannot
20 continue doing this.

21 Mr. Miller of the Pennsylvania Economy
22 League this morning said in an article that borrowing
23 is not the answer. Mary Ann Wardell wrote an excellent
24 letter to the Scranton Times Tribune's paper today
25 saying what has to be done and how to do it. The

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1 answer here is to cut administration costs, cut
2 consultants, and cut the fat in this budget that is
3 proposed.

4 We seen last year what happened, and we
5 expect a repeat this year on the budget, but I say to
6 you five members of Council, please take into
7 consideration what the taxpayers are under, what our
8 school district is proposing now is a 6.3 increase, and
9 I pleaded to them the other evening to find ways to
10 trim the fat to get that budget under control.

11 Again, tonight I plead to you to work
12 with the incoming Council people and also with this
13 mayor and this administration to find ways to get this

14 budget under control as much as possible as you can. I

15 thank you.

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

17 MR. GERVASI: Good evening, ladies and

18 gentlemen. My name is Dave Gervasi, I'm a firefighter,

19 homeowner and taxpayer in the City of Scranton.

20 MR. DIBILEO: Good evening.

21 MR. GERVASI: Just a few comments

22 tonight, I didn't get a chance to be here the last two

23 weeks, but as everyone read in the paper, we won

24 another arbitration, which didn't surprise me that we

25 won it.

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1 Just to explain what that was, it

2 sounded like ourselves and the police officers got an

3 award for money that we didn't earn or something like

4 that, and that's the furthest thing from the truth.

5 The arbitration had to do with 27 pay

6 periods. There's an anomaly every ten or eleven years

7 where pay periods, not pay periods, pay days will fall

8 27 times during the year instead of 26, and the

9 beginning of 2004, the personnel director came to us

10 and said this is going to happen this year, and we have

11 a choice of either reducing our hourly rate per hour or
12 not have a paycheck on the last week of December.
13 I asked if we can have a few days to,
14 you know, research this, because we really didn't -- it
15 didn't happen since 1987, I believe, and after some
16 research we realized that the city was again wrong, and
17 we filed a grievance, tried to work it out, and we
18 weren't able to work it out, and it ended up in
19 arbitration.

20 And basically what it is is this, the
21 shift that we work and the police officers work, money
22 -- the city's argument was that they would have to make
23 an extra pay day during the year 2004, and it would
24 cost \$600,000 and some, and that included all four
25 unions, all four bargaining units.

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73

1 Because they put the hand scanners in
2 and spent \$50,000 and some on that, they decided not to
3 do it to clerical because then their hand scanners
4 would -- they would be irrelevant, they wouldn't need
5 them, and I guess that contract was more important, and
6 they decided not to do it on DPW, for whatever reason.
7 So, it ended up just falling on the cops and the

8 firemen.

9 What it was is our first pay day, our

10 first pay check in 2004 landed on January 2, and they

11 were saying because we have to make this extra payroll

12 thing, \$600,000 and some, that it was going to cost the

13 city and it was going to break the budget on salary, or

14 in fact our first paycheck, because we are paid

15 retroactively, our first paycheck on January 2, 2004 was

16 all money that was earned from the prior year's budget,

17 and the last paycheck on December 31.

18 So, we work so many hours, 84 hours in

19 a pay period, and we're paid for those hours. And that

20 was our argument back, that we worked them.

21 So, what the city did in their ultimate

22 wisdom was reduced our salary, and they actually took

23 from us two weeks of pay that we earned, legitimately

24 earned.

25 So, of course the arbitrator found in

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1 our favor, and we're just getting money back that they

2 didn't pay us in 2004, what we have deservingly coming

3 to us. So, it's not an award for work we didn't do or

4 anything like that, it's just what they owe us.

5 The other comment I would like to make
6 is, of course, you read in the paper a very, very good
7 friend of mine, Mike Ferke, his untimely death.
8 Mike was our past union president, he
9 served as our vice president, he served as the
10 secretary to our Northeast Professional Firefighters
11 Association, he was the liaison to the district vice
12 president of our international for the whole State of
13 Pennsylvania.
14 Mike was a great fireman. Mike wasn't
15 a guy when you were in a burning building that would
16 stand behind you, he'd stand beside you. He's going to
17 be deeply missed.
18 Mike was also probably, you know,
19 citizens out there that are listening to this right now
20 you think, like, you know, what does one man have to do
21 with -- how does he affect their lives, well, he
22 affected a lot of lives saving properties and lives
23 during his 12 years as a firefighter in Scranton, and
24 but how he probably really affected most people, and
25 they probably don't even realize this, is that back in
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75

1 the middle nineties, the fire department started an

2 arbitration, and it was over rising health care costs,
3 and once we won that arbitration to reduce our costs,
4 we literally sued the city to reduce the programs that
5 we had in health care to save the city money, and Mike
6 was the first one that out of the arbitration came the
7 health care cost containment committee, Mike was one of
8 the first members of that, along with Nancy Krake and
9 others, there was many others, and city people,
10 management people were on that same committee.
11 And throughout the years, you know, we
12 can talk about selling the golf course and selling this
13 and that, one-time revenue items and all these deals
14 that are going on with the sewer authority and
15 everything else, that is, and I can prove this on
16 paper, that is the single most amount of savings since
17 1992, is the work that the Health Care Cost Containment
18 Committee did saving money for the city.
19 It's the reason why, and this is for
20 the taxpayers, it's the reason why your taxes were
21 raised, your property taxes were raised once by the
22 City of Scranton in the last 14 years. It's the
23 biggest reason, and Mike Ferke had probably just as
24 much to do with that as anyone else who sat on that
25 committee, and he worked tirelessly for that.

1 So, I think one little legacy we can
2 give that he affected most people in this town was that
3 Mike worked his butt off on this committee, and that
4 was one of the main reasons why your taxes haven't been
5 raised in the last 14 years, only once.

6 So, he's going to be deeply missed.

7 He's got a wonderful family, three beautiful young
8 children, and it's a shock and it's very sad, and we
9 wish the best to his family.

10 MS. GARVEY: You have one minute left.

11 MR. GERVASI: Thank you, Kay. The
12 other thing I just want to quickly mention, the budget,
13 again, we're having more middle management and
14 supervisors put into the budget, there's more raises
15 given out, of course there's no money for raises for
16 unionized employees, you know, the people that pick up
17 your garbage and fight fires and chase bad guys from
18 your back yard.

19 I was sent an e-Mail by a friend of
20 mine, one of my members, a few weeks ago, and it kind
21 of tells a story about what has been happening in the
22 last four years here, and I'd like to read it to you

23 because it's very similar to what's happening here.

24 A company had a vast scrap yard in the

25 middle of the desert. Management said, Someone might

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1 steal from us at night, so they created a night

2 watchman position, and hired a person for the job.

3 Then management said, How does the

4 watchman do his job without instruction? So, they

5 created a planning department and hired two people, one

6 person to write the instructions and one person to do

7 time studies.

8 Then management said, How will we know

9 the night watchman is doing his tasks correctly? So,

10 they create a quality control department, hired two

11 people, one to do the studies and one to write the

12 reports.

13 Then management said, How do we get

14 these people -- how are these people going to get paid?

15 So, they created the following positions, a time

16 keeper, payroll officer, then hired two more people.

17 Then management said, Who will be

18 accountable for all the people? So, they created an

19 administrative section, hired three people,

20 administrative officer, assistant administrative
21 officer and a legal secretary.
22 Then management said, we have this
23 command in operation for almost a year now and we're
24 \$18,000 over budget, you have to cut back something, so
25 they laid off the night watchman.

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1 MS. GARVEY: Your time is up, sir.

2 MR. GERVASI: I don't like what's going
3 on here. Good luck with this budget process, and thank
4 you once again for the opportunity to speak.

5 MR. DIBILEO: Thank you, Mr. Gervasi.

6 MR. IAN MILLER: Good evening, Council.

7 My name is Ian Miller, and I live in Green Ridge.

8 MR. DIBILEO: Good evening.

9 MR. IAN MILLER: First I would just
10 like to take this opportunity to express my deepest
11 regrets for the family of Mike Ferke.

12 The day before Thanksgiving, my parents
13 had a birthday party for my little brother at Weston
14 Field Indoor Pool. I remember when that pool was
15 rundown to the point that no one wanted to swim there,
16 but now, thanks to Mr. Scopelliti, the Director of

17 Parks and Recreation, and under the leadership of Mayor

18 Doherty, the pool has been completely remodeled.

19 That water in the pool was clean, the

20 area around the pool was in perfect condition, the

21 locker rooms and the bathroom areas were spotless.

22 So, once again, I would like to thank

23 Mr. Scopelliti and Mayor Doherty for giving the people

24 in Scranton back the indoor pool at Weston Field.

25 Not long before the election, you,

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1 Mr. DiBileo, called for Mr. Scopelliti's resignation.

2 When you did that, you not only were spiting the city

3 and its administration, but also the people of the

4 city.

5 I don't think it was just or

6 professional for doing that, what you did, considering

7 he done such a good job for the city.

8 Mr. Courtright, have you come to a

9 decision whether you're going to revisit the CRF loan?

10 MR. COURTRIGHT: Yes.

11 MR. IAN MILLER: I hope in your mind

12 that you made the right decision. If you did, then you

13 will gain a lot more respect from the supporters of the

14 CRF loan and me personally.

15 As you already know, it will benefit

16 all the citizens of Scranton, along with creating new

17 jobs and improving the city.

18 At this time I would like to remind and

19 encourage everyone to visit Nay Aug Park during the

20 holiday season to enjoy the Festival of Lights. It is

21 free of charge, and no one should miss the opportunity

22 to enjoy one more thing the city has to offer us.

23 And if anyone deserves the city clerk

24 job, I think it's you, Kay. Thank you.

25 MR. DIBILEO: Thank you, Ian.

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1 MR. ANCHERANI: Good evening, Council.

2 I'm Nelson Ancherani, resident, taxpayer and member of

3 the FOP.

4 MR. DIBILEO: Good evening.

5 MR. ANCHERANI: The Halloweeners are at

6 it again, they didn't sign their names to Our Opinion,

7 Recovery Plan Must Take Effect. Proposed Budget

8 Illustrates Need.

9 They had talked about the city's

10 proposed 2006 budget and how it illustrates the need

11 for the long delayed recovery plan to take effect.

12 I don't see how cutting \$4 million from

13 the police and fire budgets is going to get us out of

14 distressed status.

15 The long-term debt right now is \$210

16 million, and that does not include the \$65 million

17 unfunded pension debt, it does not include the

18 \$5.5 million arbitration that we owe American Anglican,

19 and that, by the way, is not being appealed to a higher

20 court.

21 Had that arbitration been union

22 related, I'm sure it would have been appealed. It

23 doesn't include the health care arbitration that the

24 city is appealing that could total two and a half

25 million that the city will have to pay because they

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1 fired the auditor who found the \$5 million mistake that

2 brought on the arbitration.

3 The city is responsible for the award

4 because the statute of limitations ran out after the

5 auditor was fired. It does not include the SIT clerk

6 arbitration that could be a million dollars or more

7 before it is settled.

8 Don't forget the latest arbitration
9 that the city lost, the 27 pays for the year 2004,
10 which could total over \$500,000.
11 Back to the \$210 million-plus debt,
12 don't forget the \$6.2 million loan to balance the 2006
13 budget. I won't add in the \$5.5 million tax
14 anticipation loan, because that has to be paid off in
15 the year it is borrowed.
16 Don't forget the \$1.8 million in
17 capital expenses for City Hall renovations. Don't
18 forget the three middle management jobs at \$50,000
19 each, and two \$30,000 jobs to OECD. And that totals
20 \$210,000.
21 Don't forget the raises of \$2500 to
22 \$5,000 given to six non-union positions. But don't
23 stop there. \$3.4 million over the first four years of
24 this administration was spent on raises and new hires.
25 Don't forget that the debt service to cover the new

82

1 loans increases \$325,000.
2 I don't have a total yet on what next
3 year's cumulative total added to 2002 through 2005 will
4 be. All of the above totals approximately -- are

5 approximately \$86 million.

6 Just for the sport of it, let's add the

7 \$210 million to the \$86 million, and deduct the \$4

8 million savings from the recovery plan implementation,

9 that totals \$296 million.

10 I'm going to have to move out of the

11 city. You know, we all want our families to find jobs

12 and stay in the city, but I hate to say this, I'm glad

13 my family has moved out. I'm the stupid one for

14 staying.

15 I stayed because I have to for the job,

16 and I love this city. I've been here all my life. Two

17 years ago my brother packed up everything and just

18 left. I couldn't figure out how he could just do that,

19 but he had to see something I didn't. And as I said,

20 I'm the stupid one.

21 I will be one of the unlucky taxpayers

22 left in the city paying back \$296 million, and that's

23 not adding the interest.

24 What makes it worse when you think

25 about it, I only figured in 2006. It is my belief

.

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1 there will still be three more years of increased

2 borrowing and increased debt.

3 Even if the recovery plan is

4 implemented, saving \$12 million more for the next three

5 years will never pull us out of debt.

6 This administration is relying on the

7 recovery plan. They are in for the roughest of

8 awakenings. So, God help us.

9 Some more good news, don't forget that

10 the budgets for 2002 through 2005 cumulatively were

11 raised over \$18 million from the Connors

12 administration.

13 And with this year's increase added

14 cumulatively to the other four years, it totals \$37

15 million.

16 The recovery plan was not even

17 implemented yet, and it has been violated more times

18 than Carter has liver pills. Where's PEL?

19 Harry Miller was in City Hall on

20 Monday, was it for meetings over the plan, and why

21 wasn't that in the paper? It made it today, though.

22 Now I know why I quit the paper. Maybe

23 someday there will be responsible reporting in this

24 city again.

25 One more thing, the mayor is going to

1 implement the job tax for 2006, that should bring in
2 \$2.1 million. We could have had that much for 2005,
3 but that would have compromised the city government's
4 position in labor arbitration with the police and fire
5 union.

6 So, we lost \$2.1 million in 2005 that
7 could have gotten us much needed equipment for the
8 police and fire departments.

9 So, Gary, you should be thanking God
10 for unanswered prayers. This city is in such a mess,
11 it will never dig itself out. At least you will not be
12 blamed for this mess.

13 Council persons, I also feel sorry for
14 you. You could follow your hearts when you vote on
15 legislation for the budget, or you can be rubber
16 stampers.

17 I know how Mrs. Evans will be, she will
18 never forget the people. I commend you for that and
19 wish you luck.

20 Bill, I believe you will be the same
21 way. Don't let us down. John, you are the lucky one,
22 also, getting out while the getting is good.

23 Bob, you were a surprise to me. I

24 thought you would be your own person, but I was wrong.

25 But anyway, this city is in for a wild

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85

1 taxation ride. I hope we are able to survive it

2 financially, but I just don't believe we will be able

3 to. Thank you.

4 MS. EVANS: Mr. Ancherani, just one

5 quick comment, on September 15, letters were sent to

6 Mr. Miller and Mr. Reddick inviting them to

7 City Council during the month of October, any meeting

8 that would be convenient for them to attend, and as far

9 as I know, it's December 1, and there's still no

10 answer.

11 The purpose of this meeting was to

12 discuss the dire financial circumstances this city was

13 facing, and PEL had no response.

14 MR. ANCHERANI: That figures. Thank

15 you.

16 MR. DIBILEO: Thank you, Mr. Ancherani.

17 MR. SLEDZINSKI: John, I am going to

18 miss you, old buddy. So remember, I love you, you know

19 that, John, don't you?

20 Dave, the firemen do a good job
21 downstairs. Keep it up down there, guys, will you?
22 Keep it up down there.
23 MR. DIBILEO: Chris, thank you.
24 Appreciate that. If there's no further speakers.
25 MS. GARVEY: 5-A, motions.

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1 MR. DIBILEO: Allow me, if you would,
2 to go out of turn for just a couple of minutes. I'd
3 like to make a motion. Before I do that, make a motion
4 to accept Mark Walsh's resignation, I'd like to say
5 that Mark is experiencing a health issue, and he's
6 handling it just fabulously.
7 Mark Walsh resigned effective today,
8 December 1, and he served this City Council
9 wonderfully, and he's as great of a person as he is an
10 attorney.
11 If you know Mark, Mark's spirits are
12 terrific, and he will come through this health issue
13 with flying colors, and I want to thank him for his
14 service, and I want to thank him for his friendship.
15 And with that said, I'd like to make a
16 motion that we accept Mark Walsh's resignation

17 effective December 1.

18 MR. COURTRIGHT: Second.

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

21 MR. COURTRIGHT: Yes, Mr. President. I
22 would, too, like to say, Mark is a man of honor and
23 dignity, both in his professional career and as a
24 person, and I, too, believe Mark will come through this
25 with flying colors. His spirits are good. I don't

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1 I think he wants anybody feeling sorry for him. He's
2 going to make it through all of this, and I hope that
3 we see him back as far as with the city government or
4 county level or whatever, because he will be missed.
5 He's done a fabulous job, and he's a
6 fabulous person, and I just want to thank him for the
7 time that we had with him here these two years.

8 MS. EVANS: And I just want to thank
9 Attorney Walsh, as well, for his two years of service.
10 I want him to know that he's kept in my daily prayers,
11 and probably what I find most unique about this
12 individual is the fact that in all the time I've known
13 him and throughout all of the circumstances we have all

14 faced, he's never had a negative word, a bad word, to
15 say about any individual, and that is certainly an
16 admirable quality, and I wish him all the best and his
17 family, as well.

18 MR. MCTIERNAN: Mr. President, if I
19 may.

20 MR. DIBILEO: Sure, absolutely.

21 MR. MCTIERNAN: I'd like to thank
22 Mark for his service, as well, and say that he is a
23 good friend and a great lawyer, and I would also say
24 that reluctantly I would vote to accept his
25 resignation.

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1 MR. POCIUS: I, too, would like to
2 offer my prayers to Mark. I remember him every day in
3 my prayers. Mark has been a friend of mine for a long
4 time, he's a great guy, he has a wonderful family, a
5 beautiful wife and children, and he will come through
6 this.

7 When he called me to notify me -- give
8 me the courtesy that he was going to resign, he sounded
9 upbeat and very positive, and he will definitely come
10 through this. So, again, thank you, Mark, for your

11 service to this Council.

12 MR. DIBILEO: Thank you very much. And

13 with that said, all those in favor, signify by saying

14 aye.

15 MS. EVANS: 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 Now, that leaves us without a city

22 solicitor effective today. We are entering what could

23 be a very busy time of year, being the budget season,

24 and it normally is a very busy time of year, and I

25 think it's important for the City Council to have a

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1 legal representation.

2 Mr. Amil Minora, who is with us this

3 evening, is an experienced and highly regarded attorney

4 in the city, and I'm pleased to have him work with us

5 through the remainder of this year, and I'd like to

6 also say that this is not costing the taxpayers any

7 additional money, since Mr. Walsh has resigned

8 effective today and Mr. Minora will be taking over as
9 of today.

10 Now, what happens come the new year is
11 going to be up to the new City Council, and we'll let
12 them make that decision on Mr. Minora.

13 So, with that said, I'd like to make a
14 motion that we hire Mr. Amil Minora, Attorney Amil
15 Minora, for the rest of this City Council sitting.

16 MR. COURTRIGHT: Second.

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

19 MS. EVANS: I'd like to thank you very
20 much and welcome you to Council. I'm sure you're going
21 to be an invaluable addition, and it's my hope that
22 you'll remain with us.

23 MR. MINORA: Thank you.

24 MR. COURTRIGHT: I'd like to thank Mr.
25 Minora for stepping up to the plate for a job that I

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1 believe in the two years that I've been in here was
2 underpaid, and I'm surprised that we can get somebody
3 to come into this situation for that salary, and I
4 appreciate that. And I, too, hope that you'll remain

5 with us after the end of the year. I thank you.

6 MR. POCIUS: I appreciate Counselor

7 Minora's frankness with me when he called me the other

8 day to discuss this situation. And I said, Amil, what

9 about after January? He said, I'm a big guy, I can

10 play and see what happens.

11 But we do need some representation

12 until the end of the year, and I've known you a long

13 time, and I'll definitely support you in your endeavor.

14 I can't help you next year, but for your endeavor for

15 the remaining 30 days, you got my vote.

16 MR. MINORA: Thank you.

17 MR. MCTIERNAN: Attorney Minora, thank

18 you for volunteering, I guess, and I wish you well, and

19 thanks again. Welcome.

20 MR. MINORA: Thank you. I'll do my

21 best.

22 MR. DIBILEO: Okay. We have a motion

23 on the floor and a second. All those in favor, signify

24 by saying aye.

25 MS. EVANS: Aye.

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1 MR. MCTIERNAN: Aye

2 MR. POCIUS: Aye.

3 MR. COURTRIGHT: Aye.

4 MR. DIBILEO: Aye. Opposed? The ayes

5 have it and so moved. And welcome, Amil, and thank you

6 for being here.

7 And now we will -- I guess we'll also

8 take this opportunity for me to stay out of order and

9 to make a motion that we accept Jay Saunders' letter of

10 resignation.

11 MR. COURTRIGHT: Second.

12 MR. DIBILEO: Okay. We have a motion

13 on the floor and a second. On the question?

14 MR. POCIUS: I didn't get a chance, I

15 was away two weeks at a conference, and I just -- I

16 didn't get a chance to say anything, but I want to

17 thank Jay for his time here, he did a marvelous job.

18 He actually -- it was true, he knew my

19 -- he lived across the street from my dad and they

20 developed a great relationship even before I met Jay,

21 and he served admirably in his two years that I worked

22 with him here, two and a half years, and I wish him

23 well in his new endeavor and Tammy and his son.

24 MR. DIBILEO: Thank you. Thank you,

25 Mr. Pocius. And last week we had a chance to pretty

1 much all of us say our goodbyes to Jay while he was
2 here. He served City Council very well, and the city,
3 and I, too, wish him well in his new employment
4 endeavors.

5 And I guess what we'll do now is, we
6 have a motion on the floor and a second. All those in
7 favor, signify by saying aye.

8 MS. EVANS: Aye.

9 MR. MCTIERNAN: Aye

10 MR. POCIUS: Aye.

11 MR. COURTRIGHT: Aye.

12 MR. DIBILEO: Aye. Opposed? The ayes

13 have it and so moved.

14 We have another resignation that we can
15 accept, if we wish, and that is the resignation of Judy
16 Gatelli, who's a new incoming Councilperson as of the
17 first the year, but she is resigning from the zoning
18 board of appeals and I'll make a motion that we accept
19 this resignation.

20 MR. COURTRIGHT: Second.

21 MR. DIBILEO: Okay. On the question?

22 MR. POCIUS: She until the end of the

23 year, so it wouldn't conflict with -- you said

24 December 31, right, Gary, so that would not conflict

25 with -- just accept it as written, and that will be

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1 fine.

2 MR. DIBILEO: Accepting it effective

3 December 31.

4 MR. POCIUS: She can't serve the both

5 positions, it's a conflict.

6 MR. DIBILEO: That's right. All those

7 in favor, signify by saying aye.

8 MS. EVANS: Aye.

9 MR. MCTIERNAN: Aye

10 MR. POCIUS: Aye.

11 MR. COURTRIGHT: Aye.

12 MR. DIBILEO: Aye. Opposed? The ayes

13 have it and so moved. And now I'll ask Mr. McTiernan

14 if he has any motions or comments this evening.

15 MR. MCTIERNAN: Thank you, Mr.

16 President. Just three things, first of all, I'd like

17 to extend my deepest and sincere condolences to the

18 Ferke family on the recent passing of their dad and

19 husband Michael, and also the members of the Scranton

20 Fire Department.

21 Secondly, I'd like to thank kay for a

22 lot of work, and I know that Jay has been helping you,

23 but I know you have been carrying the ball for Jay for

24 a long time anyway. He may not tell you that, but

25 thank you very much.

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1 And prior to the discussion on some of

2 the orders, I just want to commend Mr. DiBileo for some

3 communication he's had recently regarding budget and a

4 lot of other Council issues communicating with the

5 administration and sharing some information, so

6 hopefully this budget season will go smoothly. Thank

7 you. That's all I have, Mr. President.

8 MR. MCTIERNAN: Thank you very much,

9 Mr. McTiernan, appreciate that. Mrs. Evans, motions or

10 comments?

11 MS. EVANS: Yes. Kay, you know, I

12 think you look very good over there. I think you might

13 get used to it. One never knows.

14 Tonight I ask your prayers for two

15 wonderful individuals and the families they leave

16 behind. First, May Gallagher, a retired teacher, who

17 was a wealth of wisdom, information and common sense
18 about our community, and second, Mike Ferke, a
19 dedicated, passionate firefighter who served our
20 community with honor and fortitude at all times.

21 Since the recovery plan has not been
22 implemented for three years, I believe that no one has
23 complied with the provisions of Act 47, Section 247.

24 Nowhere -- well, actually I should
25 explain that by just quoting that for you. Subsection
.
95

1 A, Coordinator's plan, If the coordinator's plan is
2 adopted by the municipal governing body, the
3 coordinator shall be charged with implementing his plan
4 and shall first give written notice of plan adoption to
5 creditors, collect bargaining units and other parties,
6 et cetera; second, initiate plan implementation and
7 continue its implementation for at least four months;
8 third, oversee completion of the plan, either by
9 directly controlling the implementation process or by
10 turning the implementation process over to a person
11 designated by the governing body or by the chief
12 executive officer.

13 The coordinator or the person

14 designated by the governing body or by the chief
15 executive officer shall supply the department with
16 monthly reports which shall contain the following
17 information, and those pieces of information are
18 further enumerated, and so I go to point number four,
19 Terminate the plan upon its completion; fifth, suggest
20 amendments to the plan which may be necessary to
21 implement or complete the plan; B, Chief executive
22 officer's plan, if the plan adopted is the plan
23 proposed by the chief executive officer, the chief
24 executive officer shall have the duties of the
25 coordinator set forth in subsection A, and then C,
.

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1 municipal governing bodies plan, if the plan adopted is
2 the plan proposed by the municipal governing body, a
3 person designated by the governing body shall have the
4 duties of the coordinator set forth in Subsection A.
5 Nowhere in Act 47 does it waive the
6 reporting requirements contained in Section 247,
7 because there are arbitrations for years.
8 The reporting requirements in
9 247A are mandatory, irrespective of whether the
10 recovery plan is PEL's or the mayor's or the governing

11 bodies.

12 As of this date, neither I, nor anyone

13 else knows, whose plan is the recovery plan. Does the

14 plan come under Section 247A or B or C?

15 I do know PEL will deny the plan is

16 PEL's, because PEL stated many times in the recovery

17 plan it was only retained to assist in formulating a

18 plan.

19 I question this, but one could only

20 find out if PEL is correct or not by putting an

21 official of PEL on the witness stand under oath and

22 question him as to exactly what PEL actually did in the

23 entire process.

24 I believe the mayor may take credit for

25 the recovery plan, and if he does, Section 247B would

.

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1 apply. The proper thing to do is to communicate with

2 the secretary and the Pennsylvania Department of

3 Community and Economic Development in Harrisburg and

4 ask the simple question, could you please inform me if

5 your office records designate the current recovery plan

6 for Scranton to be the coordinator's plan or the chief

7 executive officer's plan or the municipal governing

8 body's plan.

9 Irrespective of who is designated as

10 responsible for the recovery plan, the next question to

11 DCED would be to ask for copies of all documents filed

12 under Section 247A for the past three years.

13 For three years the mayor constantly

14 said he cannot put his recovery plan into effect until

15 he first concludes contracts with the police and

16 firefighters unions.

17 A copy of Act 47, Section 252, shows if

18 there is a recovery plan in effect first and then a

19 contract is agreed upon, the contract cannot be

20 contrary to the recovery plan, so why is the mayor

21 holding off for three years to implement a recovery

22 plan?

23 Further, whoever wins the contract

24 arbitrations, the mayor or the unions, the losing side,

25 I assure you, will appeal.

.

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1 Such a process could take up to three

2 or more years, which postpones the implementation of

3 this alleged recovery plan for years, until

4 Mr. Doherty very likely will leave office.

5 I also reviewed the mayor's 2006 budget
6 with two thoughts in mind; first, it must comply with
7 the law, and second, it must be realistic and as
8 truthful as possible.

9 The primary way for a budget to be
10 realistic and truthful is to base its revenues and
11 expenditures on experience; for example, if the
12 revenues for the past number of years averaged \$100 per
13 year, one can expect the same amount per month will
14 continue, unless there is a valid reason for the \$100
15 to be increased or reduced, and the same reasoning
16 applies to expenditures.

17 I suggest there are two categories of
18 budget expenditures, one is mandatory, and the other is
19 discretionary.

20 Mandatory expenditures must be paid
21 because they're required by law or contract. Examples
22 are payments for pensions and health insurance
23 premiums.

24 Budget expenditures, which are
25 discretionary, can be kept out of the budget or put in,
.

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1 and increased and decreased in amounts all at a mayor's

2 discretion.

3 Two examples are if new supervisors or

4 consultants should be hired and if wages of these

5 persons should be increased or not.

6 The Home Rule Charter, Section 903,

7 Paragraph 3, requires the 2006 budget to set forth the

8 city's debt service for 2006.

9 It does, and if the mayor is permitted

10 to borrow more money on tax anticipation notes, then

11 the taxpayers must pay, and I quoted this two weeks

12 ago, \$20,830,000 for the long-term and the short term

13 debt service. The entire \$20.8 million must be paid in

14 full in the year 2006.

15 Absent a miracle, I don't see in the

16 budget that the mayor will find enough money to pay the

17 \$20.8 million without borrowing much money and

18 increasing the long-term debt.

19 Scranton is in a financial crisis.

20 Something must be done to immediately stop the mayor

21 from continuing to spend and borrow. Obviously PEL's

22 do nothing attitude only helps to create this crisis.

23 Now, let's review the mayor's budget

24 numbers, and I will deal only with revenues. The

25 reason I restrict my comments to the budget's revenues

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1 is because if the revenues are truthfully shown and not
2 falsely inflated, the revenues act as a limit on what
3 the mayor can spend without borrowing more and
4 increasing the long-term debt.

5 Unfortunately the mayor improperly
6 inflates revenues, and still spends more than he
7 improperly states. Let's go back a year.

8 In November 2004, the mayor submitted
9 an operating budget which listed city revenues as \$65.8
10 million. Remember, the \$65.8 million is an estimate.

11 Is it a reasonably accurate estimate or a falsely
12 inflated estimate?

13 Past experience and records will give
14 us a good insight as to its accuracy. The actual money
15 the city received for the first eight months of 2005
16 was \$43,030,000. This means the city received an
17 average monthly income of \$5,378,835 to operate the
18 city.

19 Experience shows the city would
20 continue to receive an average of \$5.3 million each
21 month for the balance of the year or for four more
22 months. That means a good estimate of the city's

23 revenues for 2005 should be \$64,546,020, but the mayor

24 listed in the 2005 operating budget the income to be

25 \$65,825,588. To me, the revenue side of the mayor's

.

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1 2005 budget is improperly inflated by \$1,279,568.

2 Now, the same analysis applies to 2006.

3 For the first nine months, the city actually received

4 \$50,327,023. This is an average of \$5,591,891 each

5 month.

6 Now, experience shows the city would

7 continue to receive an average of \$5.5 million each

8 month for the balance of the year or for three more

9 months. That means a good estimate of the city's

10 revenues for 2006 should be \$67,102,692, but the mayor

11 listed the 2006 operating budget income to be

12 \$74,695,545.

13 To me, the revenue side of the mayor's

14 2006 budget is improperly inflated by \$7.5 million. I

15 believe the only purpose of improperly inflating the

16 revenue side of the budget is to give the mayor a false

17 excuse to spend money the city will not receive.

18 The bottom line will be that the mayor

19 must continue to borrow more money and increase our

20 long-term debt.

21 And one last comment on this issue,

22 it's just two years, in just those two years the

23 revenue side of the mayor's operating budget has been

24 improperly inflated from \$1.2 to \$7.5 million, I did

25 the math. That's an improper inflation increase of

.

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1 \$6.3 million, or look at it this way, an improper

2 inflation increase of 493 percent. That's a big

3 increase, and that will surely hurt the people. That's

4 wrong, and that's it on that subject.

5 Now, I also have two very important

6 requests that require immediate handling, and one is

7 related specifically to my comments this evening

8 concerning a pole, but first a letter to Mr. Fiorini

9 regarding 615 Donnelly Court, please send inspectors to

10 this property.

11 And regarding the house at the corner

12 of New York Street and Capouse Avenue, a request was

13 submitted in writing to Mr. Fiorini on November 23,

14 2005, and I am awaiting a response.

15 And a letter to the secretary of DCED

16 in Harrisburg, could you please inform me if your

17 office records designate the current recovery plan for
18 Scranton to be the coordinator's plan, the chief
19 executive officer's plan or the municipal governing
20 body's plan. Please forward copies of all documents
21 filed under Section 247A for the past three years to
22 the office of Scranton City Council, Attention Janet
23 Evans.

24 Also, to the residents of Park Gardens,
25 I would like to read a letter of response I received
.

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1 from Mr. David Baker, executive director of the Housing
2 Authority regarding handicapped parking.

3 Both myself and the board of
4 commissioners are abundantly aware of the justifiable
5 concerns of our tenants at Park Gardens.

6 Scranton Housing Authority is presently
7 reviewing a report that was prepared for the Park
8 Gardens development, which among many other issues, it
9 also deals with parking.

10 Once the board decides on a course of
11 action, I will be happy to advise Scranton City Council
12 and I will wait to be advised, and as soon as I am, I
13 assure the residents of Park Gardens you, too, will be.

14 MR. COURTRIGHT: Mrs. Evans, if I may
15 interrupt you for a second, I think in that letter he
16 doesn't come out and say it, but I have been asking for
17 quite some time for what the criteria was to get an
18 apartment in park gardens, and I'm hoping -- he says
19 among other issues, that's one of the issues, because I
20 said, I had residents, too, at least two stated, for
21 two, possibly three years have been on a list to get
22 into Park Gardens and haven't been able to get an
23 apartment there, and when people for a month or two.
24 So, it's my hope when he says other
25 issues, that's one of those other issues.

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1 MS. EVANS: I certainly hope so, as
2 well, and perhaps you and I can keep on top of these
3 two situations until we're satisfied with an answer.

4 MR. COURTRIGHT: We certainly will.

5 MS. EVANS: And I also wish to make the
6 following announcement about a fundraiser for a very
7 good friend, there will be a spaghetti dinner on
8 Sunday, December 4 at St. John's Hall on Fig Street in
9 Scranton from three o'clock until 7 p.m. Tickets are
10 available at the door. The cost is \$8 for adults and

11 \$4 for children, and this benefit is held to assist
12 Mr. Jerry Grabowski, a former employee of the City of
13 Scranton, and a wonderful man and a husband and father
14 to -- a very, very good and hardworking family, and I'm
15 asking all of you, please support this endeavor, they
16 really need your help.

17 And one last thing, I know you're all
18 very weary of me at this point, but I would ask Council
19 just to consider this idea, or at least those of us who
20 will remain seated in January, when hiring a new city
21 clerk, I believe it behooves us to decrease that salary
22 and set an example for the administration.

23 Mr. Saunders worked in that position
24 for several years, and coming on board, no doubt, will
25 be an individual who may well have never served in that

.

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1 capacity before, and I think rather than continuing the
2 salary at a rate an experienced employee would have
3 received, I'd like to see it take -- I'm not throwing
4 any figures out this evening, because I think that
5 should be open for discussion, but I would like to see
6 that decreased for the first year anyway.

7 MR. COURTRIGHT: I'd like to comment on

8 that, I was the one that had asked the salary of Jay's
9 position be increased in our last budget, and was
10 turned down, and Jay was in the job for a while, I
11 would consider decreasing it, depending on experience
12 and who we hire, if there was somebody that I thought
13 could step up to the plate rather quickly, I would
14 still be willing to let them have the salary that Jay
15 had.

16 If we're going to bring in somebody
17 that's very, very inexperienced, which I wish we're
18 not, then I would go along with that.

19 MS. EVANS: And I just wanted to add
20 that it's quite remarkable, in fact, that a city clerk
21 would be earning approximately \$8,000 less than the
22 mayor of the City of Scranton. There seems to be
23 something quite skewed about that picture.

24 So, I could appreciate your comments
25 and the fact that you're willing to keep an open mind

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1 and consider that. That's all.

2 MR. COURTRIGHT: Okay. Thank you.

3 MR. DIBILEO: Thank you, Mrs. Evans.

4 Mr. Pocius, motions or comments?

5 MR. POCIUS: Yes, Mr. President. I,
6 too, would like to extend my deepest sympathies to the
7 Michael Ferke family for their tremendous loss.
8 42 years of age is entirely too young for anyone to
9 suffer such a tragedy, but he leaves behind found
10 memories with a lot of people, and I know his family
11 will miss him, and I hope God gives them the courage to
12 get through this very, very, very, very tough thing,
13 especially happening between the holidays as it does,
14 which is always a terrible thing, because it seems like
15 every year then the holidays don't bring joy, they
16 bring a memory of something that's quite unpleasant.
17 So, my deepest sympathies and prayers go out to the
18 Ferke family.
19 One little bookkeeping thing, Kay, one
20 we received a letter from the Lackawanna County Rail
21 Authority, when I looked through my stuff I didn't see
22 a letter, I'll give you this, forwarding this down to
23 George Parker, they're asking that they verify the
24 clearance of the South Washington Avenue Bridge and post
25 the appropriate placard, there's been quite a few

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1 trucks stuck down there recently. George is a

2 registered surveyor and engineer, he can shoot the
3 elevations and make a determination and we can get the
4 proper signs up. This should be forwarded to him for
5 immediate action.

6 And one motion, this was discussed in
7 the caucus with the new Council members and the seated
8 Council members, and I said I would make this motion
9 basically because the new Council members really don't
10 have any authorization to appropriate or spend Council
11 funds, so they wanted to place an ad advertising for
12 both the city clerk and the Council solicitor.

13 This is what they wanted to do, so
14 you're probably going to have to send a resume in or
15 whatever, but I will make a motion that we place an ad
16 in the local paper, The Scranton Times, advertising for
17 Council's interviews of a of a, I think we can do them
18 both in one ad, I'm going to ask you, City Council
19 Solicitor, Mr. Minora, if this is correct, we could
20 place both positions in the same ad, right?

21 MR. MINORA: Sure.

22 MR. POCIUS: Yeah, for the city clerk
23 and Council solicitor, I think that's the term, and
24 that the ad -- that resumes with a cover letter be
25 forward to the City Clerk's office at 340 North

1 Washington Avenue by December 15 to be time stamped in.

2 MR. COURTRIGHT: Second.

3 MR. DIBILEO: Okay. We have a motion

4 on the floor and a second. On the question?

5 MR. POCIUS: Did I cover everything

6 that everybody really discussed?

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

8 further questions, all those in favor, signify by

9 saying aye.

10 MS. EVANS: Aye.

11 MR. MCTIERNAN: Aye

12 MR. POCIUS: Aye.

13 MR. COURTRIGHT: Aye.

14 MR. DIBILEO: Aye. Opposed? The ayes

15 have it and so moved.

16 MR. POCIUS: That's all, Gary, thank

17 you.

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

19 Pocius. Mr. Courtright, any motions or comments this

20 evening?

21 MR. COURTRIGHT: Yes, Mr. President.

22 Kay, Mr. Pocius made a motion some weeks ago, and I was

23 in total agreement, was that we get a report from the
24 engineer on the parking garage at Adams and Lackawanna
25 Avenue, and nothing has come forward, and the garage is

.

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1 now open, that kind of irritates me, so I would ask
2 that we immediately receive a report from this
3 engineer. I don't know what happened there. I'm not
4 quite sure who we sent that letter to.

5 MS. GARVEY: I don't know if that
6 letter went out, I'd have to check, because I have a
7 feeling that letter never did get out of the office.

8 MR. COURTRIGHT: Well, I'd like to ask
9 them for --

10 MR. POCIUS: Let's just get it out and
11 put it to rest.

12 MR. COURTRIGHT: -- for that report,
13 and I'd also like to ask why they didn't send it to us,
14 when we asked for it. I don't think there's any reason
15 for that.

16 Last meeting someone had come to the
17 podium speaking about soldiers' pay, and Jay, not last
18 week, but Jay had tried to help me with it, could not
19 get in touch with Lisa Moran, is that her first name,

20 Lisa, I believe?

21 MR. POCIUS: Yes.

22 MR. COURTRIGHT: -- okay, and could not
23 get in touch with her. He tried on several occasions.
24 I asked Kay recently to try to get in touch with her,
25 could not get in touch with her, so I asked -- she's

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1 having a baby, maybe that's where she is, I don't know,
2 no, okay, buy Kay wearing several hats recently, I
3 asked her to do this letter for me to Mrs. Moran, just
4 to give me in writing what the policy is for our
5 military.

6 Also, I spoke to one of the individuals
7 that I believe the person who came to the podium was
8 speaking about on two separate occasions, he's a police
9 officer that was in Iraq, and, you know, he said he's
10 looking into things on his end, and he agreed that I
11 don't choose to discuss his personal business here on
12 the air, but one thing he was pretty adamant about and
13 he asked that I would bring up is that it bothered him
14 quite a bit that some speaker evidently had come to the
15 podium and said that he was acquiring additional sick
16 time and vacation time and so on while they were in

17 Iraq, he said no such thing had happened, and he took

18 offense to that.

19 So, he just wanted to make that clear,

20 that they did not, you know, acquire any additional

21 sick time or vacation time while they were serving us

22 in Iraq trying to keep us safe.

23 Another one, Kay, I'm going to be the

24 one to give you a lot of work, I guess, tonight, Hollow

25 Avenue, and I'm still not quite sure where that is,

.

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1 it's in North Scranton, I know, but residents were

2 concerned about work that had been done there, we asked

3 if Mr. Parker could meet with those residents, Jay

4 called on three separate occasions, wasn't able to get

5 a hold of him, so maybe, Kay, you can do that, ask

6 Mr. Parker if in fact he could meet with these

7 residents. I believe the gentleman's name was

8 Mr. Moran, he left us his address and phone number, and

9 maybe if Mr. Parker sits down with these residents,

10 this issue can be resolved once and for all and we

11 won't have to speak about it again.

12 So, I would ask you, you know, you

13 call, but also send it in writing, because Jay had no

14 success when trying to call. You're probably going to
15 need to get all these cell phones numbers out of his
16 phone, all these people we have to call.
17 PEL, I don't know, I'm kind of
18 disappointed in them, I'm not quite sure exactly what
19 it is they're supposed to be doing, but I would ask
20 them to do this, how about coming up with some
21 suggestions on how to increase our revenue and some
22 suggestions on how to decrease our spending?
23 I think that's what they're supposed to
24 be doing, and I haven't seen that come forward at all
25 in this budget, so maybe we can ask them if they could

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1 possibly do that, because if I'm not -- if I'm correct,
2 I think that's what they're supposed to be doing, and
3 if I'm incorrect, please tell me so.
4 And I'd like to make a motion, and I
5 have to read this, bear with me so that I don't do it
6 incorrectly, I'd like to make a motion to reconsider
7 the Welles Street legislation in the affirmative, all
8 of the motions to relist the Welles Street legislation
9 thereby suspending all applicable rules to permit the
10 Welles Street legislation to be relisted.

11 MR. MCTIERNAN: Second.

12 MR. DIBILEO: Okay. We have a motion

13 on the floor and a second. On the question? All those

14 in favor, signify by saying aye.

15 MS. EVANS: 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. COURTRIGHT: Okay. And I guess the

22 item that everybody has been waiting to hear from me,

23 drum roll, CRF.

24 I mentioned a couple weeks back that I

25 would possibly reconsider the CRF if I had some

.

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1 questions answered, and I had gotten one phone call,

2 and one or two people asking me about it in person, and

3 said, Jeez, Bill, I hope you're not going to flip on us

4 now that the election is over, and the other person

5 asked me if I was going to go to the dark side, and

6 what I said to them was this, You know, I was Bill

7 Courtright before the election, and I'm Bill Courtright

8 now and nothing is going to change.

9 I think some people were offended by

10 the fact that I was willing to speak with Chris

11 Doherty. Well, I think our complaint pretty much the

12 two years that I've been on Council is that he wouldn't

13 speak with us.

14 So, when the gentleman says he wants to

15 speak with me, am I supposed to say no? Am I supposed

16 to fight with him just for the sake of fighting with

17 him? I think not.

18 If he continues to want to speak with

19 me, I would be more than happy to speak with him. And

20 if he brings up something that I don't believe in, I'm

21 going to tell him so; if he brings up something that I

22 do believe in, I'm going to tell him so, but I'm not

23 going to fight with him just for the sake of fighting

24 with him.

25 I asked -- three main questions that I

.

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1 asked of him, one was did he have any projects in line

2 for this money, and he had two, and he gave me the

3 dollar amount, and one, and I neglected -- or I did not

4 hear the dollar amount on the second.

5 The two projects that he told me, I
6 made everybody on Council aware of what those projects
7 were, I will not say them on the air, because if in
8 fact I do, I don't want to jeopardize whatever projects
9 might be coming down the road, but he did answer my
10 question, and he had two, and that was about a week
11 ago. I think I spoke to him. I don't know if he's
12 gotten any other ones since.

13 I also asked him about banks, could we
14 not get banks to do this for us, and there was a letter
15 that had come through a while ago, and evidently I did
16 not get one in my mail, or else I threw it out and
17 didn't realize it, but they did have the answers that
18 there were no banks that were willing to step up into
19 this position.

20 And third and most importantly to me, I
21 said to him, I needed to know for sure that him and his
22 administration under his guidance would not circumvent
23 this Council when spending this money, and to no
24 surprise he said, No, he would not do that. And I
25 respectfully said that I would like to ask our

.

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1 solicitor to give me an opinion on that before I made

2 my decision.

3 I spoke with Mr. Walsh very briefly,

4 obviously he isn't here as much as he used to be, and

5 preliminarily the answer from him was that he did not

6 see him able to circumvent this Council when it comes

7 to spending the money.

8 I would most certainly ask Mr. Minora

9 that task, if he could check into that for me, that

10 there's no way that we could be back-doored on this,

11 that the money would have to come through us.

12 And I think they were fair questions to

13 ask. He answered the questions that I had asked, so at

14 this time, probably to the agreement of some and to the

15 disagreement of others, I would like to make a motion

16 that we should be suspending rules to reconsider in the

17 affirmative all of the motions to relist the CRF

18 legislation, therefore, suspending all the applicable

19 rules to permit the CRF legislation to be relisted, and

20 I make that in the form of a motion.

21 MR. POCIUS: I'll second that.

22 MR. DIBILEO: Okay. We have a motion

23 on the floor and a second. On the question?

24 MS. EVANS: Yes. I had a discussion

25 with Council prior to tonight's public meeting

1 regarding this issue, and we discussed the fact that,
2 yes, there are apparently two projects, it seems the
3 ceiling on the loans for these types of projects, that
4 being specifically the revolving loan program, is
5 \$250,000, or so I was told in a letter by Kevin Wilson,
6 and that would account for approximately \$500,000 of
7 this \$5 million influx of immediate cash, so, we still
8 don't know where the remainder would be going, or at
9 the very least, that's quite possible that we don't
10 know.

11 Again, nothing has been put in writing,
12 and thirdly, seeing the very, very tumultuous financial
13 circumstances we find ourselves in, I can't in good
14 conscience lose half a million dollars on this sale at
15 this point in time. So, I will still be voting no.

16 MR. DIBILEO: Okay. I'll comment on
17 it, too. I had voted in favor of this legislation
18 originally, because it is my understanding and my hope
19 that this will enhance economic development, and since
20 that time, there have been concerns, for example, on
21 behalf of Mr. Courtright, that the issue has been laces
22 with politics, and I have to agree with him, politics,

23 as you can see, clearly has been removed from this
24 issue.

25 We had parades of union members coming
.

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1 to the podium before, and we had John Keeler coming to
2 the podium before, we had campaign ads in print that
3 some of us may have seen in union newspapers, and I
4 think it turned into politics at its worse, and, you
5 know, it's surprising, because The Scranton Times said
6 this week that this City Council has displayed vicious
7 politics, and I just have to chuckle at that, because
8 they seem to support what I think is vicious
9 politics.

10 Anyhow, I'm glad that politics has been
11 removed from the issue. I will once again vote in
12 favor of this, because as I said before, it's my
13 understanding and my hope that this will enhance
14 economic development in Scranton, and Mr. Courtright
15 has assurances, and we will hope that they are abided
16 by.

17 MS. EVANS: Just one last question,

18 Mr. Courtright, the initial, the very first phone call
19 that was made following the election, did you call the

20 mayor did the mayor call you?

21 MR. COURTRIGHT: Neither. I think

22 Mr. DiBileo told him that I wanted to speak with him on

23 that, I think --

24 MS. EVANS: No, not on this issue, I

25 mean the very first phone call that was made following

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1 the election.

2 MR. COURTRIGHT: I'm not quite sure

3 what you're asking me. Could you lead me into this?

4 I'm not sure.

5 MS. EVANS: Well, the conversation

6 concerning CRF, I understood, was an outgrowth of or,

7 you know, was a follow-up to an initial conversation.

8 MR. COURTRIGHT: Oh, okay. Are you

9 talking about when he said in the paper that he would

10 like to work with us now, is that what you're referring

11 to? I'm --

12 MS. EVANS: I don't know. No. I just

13 --

14 MR. COURTRIGHT: You lost me a little

15 bit there, Janet.

16 MS. EVANS: I'm asking if you go back

17 to November 8, who made the first phone call?

18 MR. COURTRIGHT: I don't recall. I

19 don't recall.

20 MR. DIBILEO: I think I might realize I

21 think I said at a meeting, the first meeting after the

22 election, that I would talk with -- ask the mayor to

23 contact Mr. Courtright.

24 MS. EVANS: No, I understand that.

25 Concerning CRF, and that issue, but I'm talking about

.

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1 prior to the CRF issue.

2 MR. COURTRIGHT: I'd like to answer,

3 but I'm not quite sure what you're asking me.

4 MS. EVANS: Just did the mayor make the

5 first reach out and contact you first or did you reach

6 out and contact him after the election, say, call him

7 up to congratulate him.

8 MR. COURTRIGHT: Oh, I never called him

9 to congratulate him, and I guess I should have, no, but

10 I think Earl called me, if I'm not mistaken. I believe

11 that's what happened, Earl Masters. I don't know what

12 Earl's title is, he's an assistant. I believe Earl

13 Masters called me, or else, called Jay, I'm not quite

14 sure. I didn't call him, and he didn't call me. I

15 don't think so. I hope I'm correct. I'm sure he'll

16 correct me if I'm wrong.

17 MS. EVANS: That's it.

18 MR. COURTRIGHT: Yeah, the election had

19 me all messed up there, Janet, I apologize.

20 MR. DIBILEO: If there's no further

21 questions, all those in favor, signify by saying aye.

22 MR. MCTIERNAN: Aye

23 MR. POCIUS: Aye.

24 MR. COURTRIGHT: Aye.

25 MR. DIBILEO: Aye. Opposed?

.

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1 MS. EVANS: No.

2 MR. DIBILEO: By a 4-1 vote, motion

3 passes.

4 MR. COURTRIGHT: And one last item,

5 Mr. President, I, too, would like to send my

6 condolences to Mike's family. I first met Mike quite

7 awhile ago when I was on the Civil Service Commission,

8 and he was always a gentleman, that's the one thing I

9 remember.

10 I was new, and there was a lot of

11 issues, and he was always a gentleman to me, and my
12 heart goes out to his family. Thank you.

13 MR. DIBILEO: Thank you. You know, we
14 all had nice things to say about Mike Ferke, we all
15 liked Mike Ferke and respected him, and all I'd like to
16 add to that besides our deep sadness, is that as Mike's
17 children grow older, as they grow older, I think
18 they'll come to realize the great attributes of their
19 father, and they're going to find that out as they get
20 older than they are today.

21 And also, as you probably know now, we
22 don't have a city clerk, although Kay is doing a fine
23 job over there, and, by the way, Kay has been talked to
24 about considering the position, and she may still yet
25 to do that , but we don't have a clerk right now, and,
.

121

1 again, we're entering the budget season, and I felt as
2 though it would have been great to be able to have one,
3 so earlier tonight this Council attempted to do what I
4 think is the fair thing and the right thing, and that
5 was to hold interviews for the city clerk's position
6 and to work with members of the new Council.
7 It was my hope that if we were able to

8 achieve getting through interviews and hiring someone

9 for the position in the near term, that it would have

10 benefited the existing Council and the new Council so

11 that jointly a new clerk could be chosen.

12 But there's a lot of interest in the

13 position, and the process would have become more

14 cumbersome than we originally anticipated, so order to

15 get this done in the near term, it just wouldn't work.

16 I am happy to hear tonight that members

17 the new Council are supporting the advertising of the

18 position, and people that showed up for an interview

19 tonight have been guaranteed an interview for the

20 position. We apologize for having them come down

21 tonight not getting the interview this evening.

22 But I was a little puzzled by Mary

23 Chilipko's comments earlier, because she said that she

24 had a problem with how things were being handled, and I

25 just wonder if she would have preferred, you know, the

.

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1 position to be filled with no interviews or for this

2 City Council not to attempt to work with the new City

3 Council, you know, which -- or just have us appoint

4 somebody right now by ourselves, which we would have

5 the ability to do, so that was just a little puzzling

6 to me.

7 But anyway, I wish the new Council luck

8 in finding somebody for the position and somebody to

9 fill Jay's spot that he did a great job with.

10 And the last thing is, there has been

11 some concerns over the parking on the new East Mountain

12 Roan that cars are parked in the wrong direction, and

13 I've been asked by a couple of residents to have that

14 looked into, Kay, so if you can ask somebody in that

15 department to look into that situation, please, and the

16 right department. And that's all I have this evening.

17 MR. POCIUS: Could I have one second,

18 Mr. DiBileo? Just to respond, too, because I was the

19 one in the back when we brought all the candidates in

20 that showed up tonight for the clerk's position, I

21 explained to them basically how the clerk is appointed,

22 that the clerk, and I did use the term patronage, but I

23 prefaced it by saying that it is a non-civil service,

24 non-union position, and it's kind of a patronage

25 position, not meaning in the derogatory sense that one

.

123

1 has to pay to get the position, but that you serve at

2 the will and whim of the Council and that it's only --
3 really it's a two-year position, it has to be renewed,
4 because when the Council at the Sine Die meeting, when
5 we dispose of this Council, the clerk is basically gone
6 at the same time and he has to be brought back at the
7 new meeting.

8 But, again, Mrs. Chilipko kind of made
9 the referral that this was a very political situation,
10 and I was just trying to explain to the people there
11 what they would be looking to get into, that it's not
12 guaranteed, that there's no, like, really protection,
13 that basically for any reason one could be dismissed.
14 I've never seen it happened, you never saw the clerk,
15 but it could.

16 I mean, the clerk could be dismissed
17 because he serves at the direction of Council, and I
18 don't know, you know, what would happen if that ever
19 happen, but I don't think it's ever going to happen
20 unless there was a malfeasance or malfeasance or
21 misfeasance issue, so I was puzzled by her comments,
22 too. I thought we were trying to be open.

23 It was going to be cumbersome tonight,
24 and like Gary said, let the people who are going to
25 have to serve -- work with the clerk to pick the clerk.

124

1 And this is the most open I've ever seen it. So,
2 again, I'm just a little puzzled myself. That's all.

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

4 And I think that's it, Kay. Go into 5-B.

5 MS. GARVEY: 5-B, FOR INTRODUCTION - AN
6 ORDINANCE - APPROPRIATING FUNDS FOR THE EXPENSES OF THE
7 CITY GOVERNMENT FOR THE PERIOD COMMENCING ON THE FIRST
8 DAY OF JANUARY, 2006 TO AND INCLUDING DECEMBER 31, 2006
9 BY THE ADOPTION OF THE GENERAL CITY OPERATING BUDGET
10 FOR THE YEAR 2006.

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

14 MR. POCIUS: So moved.

15 MR. COURTRIGHT: Second.

16 MR. DIBILEO: On the question?

17 All those in favor, signify by saying aye.

18 MR. MCTIERNAN: Aye

19 MR. POCIUS: Aye.

20 MR. COURTRIGHT: Aye.

21 MR. DIBILEO: Aye. Opposed?

22 MS. EVANS: No.

23 MR. DIBILEO: 4-1 vote, motion carries.

24 MR. POCIUS: At this time, Mr.

25 President, I'd like to make a motion as required by the

.

125

1 home rule charter that Scranton City Council schedule a

2 public hearing on the said operating budget and that

3 this public hearing be set for 6 p.m. on Thursday,

4 December 8, 2005 in City Council chambers and allow the

5 assistant city clerk to place that ad. That's my

6 motion.

7 MR. COURTRIGHT: Second.

8 MR. DIBILEO: Okay. We have a motion

9 on the floor and a second. On the question? All those

10 in favor, signify by saying aye.

11 MS. EVANS: Aye.

12 MR. MCTIERNAN: Aye

13 MR. POCIUS: Aye.

14 MR. COURTRIGHT: Aye.

15 MR. DIBILEO: Aye. Opposed? The ayes

16 have it and so moved.

17 MS. GARVEY: 5-C, FOR INTRODUCTION - AN

18 ORDINANCE - AUTHORIZING THE LEASE OF CERTAIN REAL

19 PROPERTY TO THE SEWER AUTHORITY OF THE CITY OF

20 SCRANTON, PENNSYLVANIA PURSUANT TO A LEASE AGREEMENT;
21 DECLARING THE GUARANTY OF SAID AUTHORITY'S GUARANTEED
22 LEASE REVENUE NOTE FOR THE BENEFIT OF THE CITY OF
23 SCRANTON TO BE A PROJECT OF THE CITY FOR WHICH LEASE
24 RENTAL DEBT IS TO BE INCURRED; STATING THE REALISTIC
25 ESTIMATED USEFUL LIFE OF THE FACILITY RELATING TO THE
. .
126

1 NOTE; DETERMINING TO INCUR LEASE RENTAL DEBT IN AN
2 AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$12,000,000 IN
3 RESPECT OF SAID PROJECT, SUCH DEBT TO BE EVIDENCED BY
4 THE CITY'S SUBLEASE AND GUARANTY AGREEMENT WITH RESPECT
5 TO SAID NOTE; AUTHORIZING CERTAIN CITY OFFICERS TO
6 PREPARE, CERTIFY AND FILE WITH THE DEPARTMENT OF
7 COMMUNITY AND ECONOMIC DEVELOPMENT THE DEBT STATEMENT
8 REQUIRED BY SECTION 8110 OF THE LOCAL GOVERNMENT UNIT
9 DEBT ACT AND AUTHORIZING THE PREPARATION OF A BORROWING
10 BASE CERTIFICATE; APPROVING THE FORM OF, AND
11 AUTHORIZING, SUBJECT TO CERTAIN CONDITIONS, EXECUTION
12 AND DELIVERY OF THE AFORESAID LEASE AGREEMENT AND
13 SUBLEASE AND GUARANTY AGREEMENT; REPEALING INCONSISTENT
14 PRIOR ORDINANCES; SETTING FORTH CERTAIN CONDITIONS TO
15 THE EXECUTION AND DELIVERY OF THE AFORESAID LEASE
16 AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT; AND

17 AUTHORIZING THE PROPER OFFICERS OF THE CITY TO TAKE ALL
18 REQUIRED, NECESSARY OR DESIRABLE RELATED ACTION IN
19 CONNECTION WITH SUCH PROJECT AND THE EXECUTION AND
20 DELIVERY OF THE LEASE AGREEMENT AND THE SUBLEASE AND
21 GUARANTY AGREEMENT.

22 MR. DIBILEO: At this time I'll
23 entertain a motion that Item 5-C be introduced into
24 it's proper committee.

25 MR. POCIUS: So moved.

127

1 MR. COURTRIGHT: Second.

2 MR. DIBILEO: On the question?

3 On the question, this legislation goes hand and hand
4 with the budget, because it's borrowing to fill the
5 budget, and my only, you know, concern tonight as we
6 introduce both the budget and this borrowing
7 legislation is how we're going to pay the money back,
8 because it's my understanding that the implementation
9 of the recovery plan will not solve the financial
10 problems that we're experiencing right now in the city.

11 MS. EVANS: I'm going to make the same
12 prediction I have for the last year, all of this money
13 from the last three years, and this year, is going to

14 be paid back in the future by means of a very large tax
15 increase, a 40 to 50 percent increase, not this year,
16 but it will be coming, and that's how all this money
17 will be paid back, because you can't borrow and spend
18 without limitation and expect you're never going to
19 have to pay the piper.

20 MR. COURTRIGHT: Mr. President, I'd
21 just like to say, I have to agree with Mrs. Evans, I
22 think it's inevitable that at some point in time this
23 city is going to see a large tax increase, because I
24 don't know how we're going to pay this back if that
25 doesn't happen.

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1 And if somebody could come up with a
2 way to pay this back without this large tax increase,
3 my hat will be off to them.

4 MS. EVANS: Well, the only thing I'll
5 add to that is somebody should have been thinking all
6 along about the long-term, about the future, that you
7 cannot continue to borrow such extraordinary sums of
8 money year after year after year and not expect that
9 you, your children and your grandchildren are going to
10 pay the price for it.

11 MR. DIBILEO: If there's no further
12 questions, all those in favor of introduction, signify
13 by saying aye.

14 MR. MCTIERNAN: Aye

15 MR. POCIUS: Aye.

16 MR. COURTRIGHT: Aye.

17 MR. DIBILEO: Aye. Opposed?

18 MS. EVANS: No.

19 MR. DIBILEO: By a 4-1 vote, motion
20 carries to introduce.

21 MR. POCIUS: Mr. President, at this
22 time I'd like to make a motion that we hold a public
23 hearing for 5-C, this ordinance on the borrowing of the
24 lease agreement, and that this public hearing be
25 scheduled for December 8, 2005, and the only reason I'm
.

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1 saying 6:15, is so that the two could run concurrently
2 without a gap. I think the first hearing will
3 definitely take longer than 15 minutes, it's not to
4 shortchange them, we're not going to cut that hearing
5 off, but it's just so there's no gap between the
6 hearings, so I would like to make it for 6:15.

7 MR. COURTRIGHT: Second.

8 MR. DIBILEO: Okay. Motion on the

9 floor and a second. On the question?

10 MR. POCIUS: Solicitor, do you think

11 that's all right to space them that close? I mean,

12 it's not to cut the first one off at 6:15, it's just

13 when we're done with the first, we can immediately then

14 go to the second without, like, having a gap in there,

15 you know?

16 MR. MINORA: I think that's at your

17 discretion.

18 MR. POCIUS: Okay. Just wanted to

19 bounce it off you. Hey, you're working already. Okay.

20 That's it.

21 MR. DIBILEO: And so basically we're

22 setting aside a full hour to have anyone comment on

23 these budget issues, which is the borrowing and the

24 budget itself, and should the comment period need to go

25 longer than one hour, we'll allow that, and we'll start

.

130

1 our seven o'clock meeting a little late, if that's the

2 case.

3 So, if there's not further questions,

4 all those in favor, signify by saying aye.

5 MS. EVANS: 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 MS. GARVEY: 5-D, FOR INTRODUCTION - AN

12 ORDINANCE - AUTHORIZING THE TRANSFER OF A PARCEL OF

13 LAND ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL

14 PROJECT TO THERESA STEVENS AS PARTIAL COMPENSATION FOR

15 THE ACQUISITION OF A PORTION OF THE STEVENS PROPERTY

16 FOR THE LACKAWANNA RIVER FLOOD CONTROL PROJECT.

17 MR. DIBILEO: At this time I'll

18 entertain a motion that Item 5-D be introduced into

19 it's proper committee.

20 MR. POCIUS: So moved.

21 MR. COURTRIGHT: Second.

22 MR. DIBILEO: On the question?

23 All those in favor, signify by saying aye.

24 MS. EVANS: Aye.

25 MR. MCTIERNAN: Aye

.

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1 MR. POCIUS: Aye.

2 MR. COURTRIGHT: Aye.

3 MR. DIBILEO: Aye. Opposed? The ayes

4 have it and so moved.

5 MS. GARVEY: 5-E, FOR INTRODUCTION - A

6 RESOLUTION - RE-APPOINTMENT OF DAVID SMITH, 1115

7 ELECTRIC STREET, SCRANTON, PENNSYLVANIA, 18509, AS A

8 MEMBER OF THE ARCHITECTURE AND URBAN DESIGN COMMISSION,

9 EFFECTIVE OCTOBER 12, 2005. MR. SMITH'S TERM EXPIRED

10 ON OCTOBER 11, 2005 AND HIS NEW TERM WILL EXPIRE ON

11 OCTOBER 11, 2009.

12 MR. DIBILEO: At this time I'll

13 entertain a motion that Item 5-E be introduced into

14 it's proper committee.

15 MR. POCIUS: So moved.

16 MR. COURTRIGHT: Second.

17 MR. DIBILEO: On the question?

18 All those in favor, signify by saying aye.

19 MS. EVANS: Aye.

20 MR. MCTIERNAN: Aye

21 MR. POCIUS: Aye.

22 MR. COURTRIGHT: Aye.

23 MR. DIBILEO: Aye. Opposed? The ayes

24 have it and so moved.

25 MS. GARVEY: 5-F, FOR INTRODUCTION - A

1 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER
2 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A
3 CONTRACT FOR WORKERS COMPENSATION EXCESS INSURANCE FOR
4 A THIRTEEN (13) MONTH POLICY AS SET FORTH IN THE
5 PROPOSAL OF WEXFORD/CNA.

6 MR. DIBILEO: At this time I'll
7 entertain a motion that Item 5-F be introduced into
8 it's proper committee.

9 MR. POCIUS: So moved.

10 MR. COURTRIGHT: Second.

11 MR. DIBILEO: On the question?

12 MR. POCIUS: Just on the questions, six
13 quotes were solicited, four quotes were received, two
14 firms chose not to submit, so this was submitted on,
15 like, a proposal basis.

16 MR. DIBILEO: If there's no further
17 questions, all those in favor of introduction, signify
18 by saying aye.

19 MS. EVANS: Aye.

20 MR. MCTIERNAN: Aye

21 MR. POCIUS: Aye.

22 MR. COURTRIGHT: Aye.

23 MR. DIBILEO: Aye. Opposed? The ayes

24 have it and so moved.

25 MS. GARVEY: 5-G FOR INTRODUCTION - A

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133

1 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

2 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

3 RENEWAL OF THE CITY'S STOP LOSS COVERAGE FOR MAJOR

4 MEDICAL HEALTH INSURANCE WITH AMERICAN FIDELITY

5 ASSURANCE COMPANY FOR 2006.

6 MR. DIBILEO: At this time I'll

7 entertain a motion that Item 5-G be introduced into

8 it's proper committee.

9 MR. POCIUS: So moved.

10 MR. COURTRIGHT: Second.

11 MR. DIBILEO: On the question?

12 MR. POCIUS: Just again, two quotes

13 were received, and this was the most responsive quote

14 and the best deal.

15 MR. DIBILEO: If there's no further

16 questions, all those in favor of introduction, signify

17 by saying aye.

18 MS. EVANS: Aye.

19 MR. MCTIERNAN: Aye

20 MR. POCIUS: Aye.

21 MR. COURTRIGHT: Aye.

22 MR. DIBILEO: Aye. Opposed? The ayes

23 have it and so moved.

24 MS. GARVEY: 5-H, FOR INTRODUCTION - A

25 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

.

134

1 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

2 LOAN AGREEMENT AND RELATED DOCUMENTS WITH NORTH

3 SCRANTON PARTNERSHIP, L.P. A PENNSYLVANIA LIMITED

4 PARTNERSHIP FOR THE PURPOSE OF RENOVATION AND

5 REHABILITATION OF THE FORMER NORTH SCRANTON JUNIOR HIGH

6 SCHOOL PROPERTY.

7 MR. DIBILEO: At this time I'll

8 entertain a motion that Item 5-H be introduced into

9 it's proper committee.

10 MR. POCIUS: So moved.

11 MR. COURTRIGHT: Second.

12 MR. DIBILEO: On the question?

13 All those in favor, signify by saying aye.

14 MS. EVANS: Aye.

15 MR. MCTIERNAN: Aye

16 MR. POCIUS: Aye.

17 MR. COURTRIGHT: Aye.

18 MR. DIBILEO: Aye. Opposed? The ayes

19 have it and so moved.

20 MS. GARVEY: Sixth order, there's no

21 business at this time. Seventh order.

22 7-A, FOR CONSIDERATION BY THE COMMITTEE

23 ON PUBLIC SAFETY - FOR ADOPTION - FILE OF COUNCIL NO.

24 160, 2005 - ESTABLISHING AS ONE-WAY THE FIVE HUNDRED

25 (500) BLOCK OF COREY STREET ALLOWING TRAFFIC TO TRAVEL

.

135

1 FROM BIRNEY AVENUE TO PITTSTON AVENUE ONLY.

2 MR. DIBILEO: What's the recommendation

3 of the chairperson for the committee on public safety?

4 MR. COURTRIGHT: As chairperson for the

5 committee on public safety, I recommend final passage

6 of Item 7-A.

7 MR. POCIUS: Seconded.

8 MR. DIBILEO: On the question?

9 MR. POCIUS: Just on the question, we

10 did request -- Kay, I don't know if it ever went out,

11 and it's kind of an enforcement issue, I was always

12 told that the boundary line for the City of Scranton

13 and the Borough of Moosic runs down the center of Corey

14 Street or thereabouts, so we only have jurisdiction to
15 sign half the street, and you can see the situation of
16 someone actually getting a ticket there and maybe going
17 before the magistrate and saying, Well, where was I
18 stopped, Scranton or Moosic, you know what I'm trying
19 to say?

20 So, we had asked that the borough,
21 because it was requested by the Borough of Moosic that
22 sent this request to the city, so hopefully they have a
23 brother or a sister ordinance down there kind of
24 imposing the same thing for their half, so maybe we can
25 just follow up with that.

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1 You can call John Brazil, maybe give
2 him a call, Amil, just to share our concerns. That's
3 all. But I'm, you know, going to vote in the
4 affirmative, but do our part for that thing, okay?

5 MR. MINORA: Okay.

6 MR. DIBILEO: If there's no further
7 questions, roll call, please, Kay.

8 MS. GARVEY: Mr. McTiernan.

9 MR. McTIERNAN: Yes.

10 MS. GARVEY: Mrs. Evans.

11 MS. EVANS: Yes.

12 MS. GARVEY: Mr. Pocius.

13 MR. POCIUS: Yes.

14 MS. GARVEY: Mr. Courtright.

15 MR. COURTRIGHT: Yes.

16 MS. GARVEY: Mr. DiBileo.

17 MR. DIBILEO: Yes. I hereby declare

18 Item 7-A legally and lawfully adopted.

19 MS. GARVEY: 7-B, FOR CONSIDERATION BY

20 THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

21 COUNCIL NO. 161, 2005 - AMENDING FILE OF COUNCIL NO.

22 82, 2004 - AN ORDINANCE ENTITLED GENERAL CITY OPERATING

23 BUDGET 2005, BY TRANSFERRING \$252,360.17 FROM VARIOUS

24 CITY ACCOUNTS TO PROVIDE FUNDING FOR LIFE INSURANCE,

25 UTILITIES AND DEBT SERVICE.

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137

1 MR. DIBILEO: What is the

2 recommendation of the chairperson for the committee on

3 finance?

4 MS. EVANS: As chair for the committee

5 on finance, I recommend final passage of Item 7-B.

6 MR. POCIUS: Seconded.

7 MR. DIBILEO: On the question? Roll

8 call, please, Kay.

9 MS. GARVEY: Mr. McTiernan.

10 MR. McTIERNAN: Yes.

11 MS. GARVEY: Mrs. Evans.

12 MS. EVANS: Yes.

13 MS. GARVEY: 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-B legally and lawfully adopted.

20 MS. GARVEY: 7-C, FOR CONSIDERATION BY

21 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

22 RESOLUTION NO. 171, 2005 - AUTHORIZING THE MAYOR AND

23 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER

24 INTO A MORTGAGE SUBORDINATION AGREEMENT, AND ANY

25 RELATED DOCUMENTS, IN FAVOR OF PENNSTAR BANK CONCERNING

.

138

1 A CITY OECD COMMERCIAL INDUSTRIAL LOAN WITH WOOLWORTH

2 DEVELOPMENT COMPANY, LLC.

3 MR. DIBILEO: What's the recommendation

4 of the chairperson for the committee on community

5 development?

6 MR. McTIERNAN: I recommend final

7 passage of Item 7-C.

8 MR. POCIUS: Seconded.

9 MR. DIBILEO: On the question? Roll

10 call, please, Kay.

11 MS. GARVEY: Mr. McTiernan.

12 MR. McTIERNAN: Yes.

13 MS. GARVEY: Mrs. Evans.

14 MS. EVANS: Yes.

15 MS. GARVEY: Mr. Pocius.

16 MR. POCIUS: Yes.

17 MS. GARVEY: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MS. GARVEY: Mr. DiBileo.

20 MR. DIBILEO: Yes. I hereby declare

21 Item 7-C legally and lawfully adopted.

22 MS. GARVEY: 7-D, FOR CONSIDERATION BY

23 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

24 RESOLUTION NO. 172, 2005 - AUTHORIZING THE MAYOR AND

25 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER

.

139

1 INTO A MORTGAGE SUBORDINATION AGREEMENT, AND ANY

2 RELATED DOCUMENTS, IN FAVOR OF PENNSTAR BANK CONCERNING
3 A CITY OECD FACADE GRANT WITH WOOLWORTH DEVELOPMENT
4 COMPANY, LLC.

5 MR. DIBILEO: What's the recommendation
6 of the chairperson for the committee on community
7 development?

8 MR. McTIERNAN: I recommend final
9 passage of Item 7-D.

10 MR. POCIUS: Seconded.

11 MR. DIBILEO: On the question? Roll
12 call, please, Kay.

13 MS. GARVEY: Mr. McTiernan.

14 MR. McTIERNAN: Yes.

15 MS. GARVEY: Mrs. Evans.

16 MS. EVANS: Yes.

17 MS. GARVEY: Mr. Pocius.

18 MR. POCIUS: Yes.

19 MS. GARVEY: Mr. Courtright.

20 MR. COURTRIGHT: Yes.

21 MS. GARVEY: Mr. DiBileo.

22 MR. DIBILEO: Yes. I hereby declare
23 Item 7-D legally and lawfully adopted.

24 Seeing no further business on the
25 agenda, I'll entertain a motion we adjourn.

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140

1 MR. COURTRIGHT: So moved.

2 MR. POCIUS: Seconded.

3 MR. DIBILEO: We're adjourned.

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6 (MEETING WAS ADJOURNED.)

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141

1 C E R T I F I C A T E

2

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.

8

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LISA M. GRAFF, RMR

11 Official Court Reporter

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