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1 SCRANTON CITY COUNCIL

2 PUBLIC HEARING

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7 IN RE: FILE OF COUNCIL NO. 179, 2005 - AN ORDINANCE -
8 VACATING ANY AND ALL RIGHT, TITLE AND INTEREST OF THE
9 CITY OF SCRANTON IN THE RIGHT-OF-WAY OF A PORTION OF
10 WRIGHT COURT IN THE CITY OF SCRANTON, AS MORE
11 PARTICULARLY DESCRIBED ON THE MAP ATTACHED HERETO.

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13 Held:

14 Monday, December 12, 2005

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Time:

17 6:45 p.m.

18

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20 Location:

Council Chambers

21 Scranton City Hall

340 North Washington Avenue

22 Scranton, Pennsylvania

23

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Lisa M. Graff, RMR
25 Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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MR. GARY DIBILEO, COUNCIL PRESIDENT
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MS. JANET E. EVANS, VICE-PRESIDENT
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MR. WILLIAM COURTRIGHT
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MR. JOHN POCIUS
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11

MR. ROBERT McTIERNAN
12

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MR. AMIL MINORA, ESQUIRE, SOLICITOR
14

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MS. KAY GARVEY, ASSISTANT CITY CLERK
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17 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MR. DIBILEO: The first item of

2 business is the fact that we have to conduct a public

3 hearing, which should be brief. We have one speaker

4 signed in. Could we have roll call, please, Neil? I

5 looked at Kay first.

6 MR. COOLICAN: Mr. McTiernan.

7 MR. McTIERNAN: Here.

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: Here.

10 MR. COOLICAN: Mr. Pocius.

11 MR. POCIUS: Here.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Here.

14 MR. COOLICAN: Mr. DiBileo.

15 MR. DIBILEO: Here. The purpose of the

16 hearing is to hear testimony and discuss the following:

17 FILE OF COUNCIL NO. 170, 2005 - AN
18 ORDINANCE - VACATING ANY AND ALL RIGHT, TITLE AND
19 INTEREST OF THE CITY OF SCRANTON IN THE RIGHT-OF-WAY OF
20 A PORTION OF WRIGHT COURT IN THE CITY OF SCRANTON, AS
21 MORE PARTICULARLY DESCRIBED ON THE MAP ATTACHED HERETO.

22 And we don't obviously have the map to
23 show you, but there is one speaker on the sign-in
24 sheet, and that's Mike Dudek.

25 MR. DUDEK: My name is Mike Dudek, 608

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1 Depot Street, Scranton, PA, I live in The Plot, and I'm
2 also a member of the Penn East Federal Credit Union.
3 Now, the reason why I'm speaking to
4 this topic is because the parking lot of the credit
5 union runs along Wright Court and Spruce Street, and if
6 there's one thing I have been complaining about to DPW
7 for years, it's the condition of Wright Court where it
8 meets Spruce Street. It is always potholed, rutted.
9 It's in terrible condition, absolutely terrible
10 condition.

11 I don't know what portion of
12 Wright Court you're talking about in this current
13 matter here, but Wright Court is not very long, it's

14 less than 500 feet long.

15 Whatever is done, whatever you do with

16 it, please demand that whoever takes it over does

17 something about improving it. Thank you.

18 MR. DIBILEO: Thank you. And if I'm

19 not mistaken, Mr. Dudek, is it right behind the

20 Penn East Credit Union?

21 MR. DUDEK: Yes, sir. That's the

22 stretch of Wright Court -- the entire parking lot of

23 the Penn East Credit Union borders Wright Court, and

24 the sidewalk portion runs along Spruce Street.

25 MR. POCIUS: Linden.

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1 MR. DUDEK: Or, thank you, I take that

2 back, Linden.

3 MR. DIBILEO: Linden Street, right.

4 You know, on one of the things I might as well mention

5 now, I am really going to miss you, Mr. Pocius.

6 For the years that you have served on

7 this Council, you have been a mainstay, and for the

8 many times that the members here have had to stop and

9 ask you for an opinion, to ask for your counsel, and it

10 has always been given in a wonderful strong even-handed

11 manner. I'm really going to miss you, and I really

12 appreciate your service to the city. Thank you.

13 MR. POCIUS: Thank you.

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

15 The good news is, Mr. Courtright is not going anywhere.

16 Did you say Mr. Courtright or --

17 MR. DUDEK: No, Mr. Pocius.

18 MR. DIBILEO: Oh, okay. I thought you

19 said Mr. Courtright. In that case, very well said. Is

20 there anyone else here that would like to speak about

21 Wright Court? Okay. If not, we will call this public

22 hearing to a close.

23 (HEARING WAS CONCLUDED.)

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1 C E R T I F I C A T E

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3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

5 notes taken by me on the hearing of the above cause and

6 that this copy is a correct transcript of the same

7 to the best of my ability.

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LISA M. GRAFF, RMR
11 Official Court Reporter

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1 SCRANTON CITY COUNCIL MEETING

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5 Held:

6 Monday, December 12, 2005

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9 Time:

10 7:00 p.m.

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13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

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22 Lisa M. Graff, RMR

23 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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9 MR. JOHN POCIUS

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13 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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15 MS. KAY GARVEY, ASSISTANT CITY CLERK

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17 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MR. DIBILEO: Okay. Please stand for

2 the Pledge Of Allegiance. Please remain standing for a

3 short prayer. Roll call, please, Kay.

4 MR. COOLICAN: Mr. McTiernan.

5 MR. McTIERNAN: Here.

6 MR. COOLICAN: Mrs. Evans.

7 MS. EVANS: Here.

8 MR. COOLICAN: Mr. Pocius.

9 MR. POCIUS: Here.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mr. DiBileo.

13 MR. DIBILEO: Here. And now if we can

14 dispense with the reading the minutes please, Kay.

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

16 OF THE COMPOSITE PENSION BOARD MEETING HELD ON

17 NOVEMBER 16, 2005.

18 MR. DIBILEO: Are there any comments on

19 3-A? If not, received and filed.

20 MS. GARVEY: 3-B, MINUTES OF THE

21 SPECIAL MEETING OF THE COMPOSITE PENSION BOARD HELD ON

22 MONDAY, NOVEMBER 28, 2005.

23 MR. DIBILEO: Are there any comments on

24 3-B? If not, received and filed.

25 MS. GARVEY: And 3-C, there are no

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4

1 clerk's notes at this time. Fourth order, citizens

2 participation.

3 MR. DIBILEO: Thank you. I'd like to

4 prior to calling up the first speaker, I'd like to

5 welcome everyone in our audience to our meeting.

6 Tonight's meeting, which is Monday, is

7 being held in place of this coming Thursday,

8 December 15, for 2006 financial planning purposes, and

9 I'd like to ask all speakers to please refrain from

10 comments of a personal nature, and due to our time

11 constraints and those of others by not exceeding five

12 minutes for your comments.

13 This could and should be the last

14 meeting of 2005, and for reasons I'll explain later,

15 this should be my last meeting in this seat, so if

16 anyone has any comments for me, you might want to take

17 an opportunity tonight to do so, and thank you very

18 much.

19 And with that said, the first speaker

20 is Dick Laske.

21 MR. LASKE: Okay. Good evening. My

22 name is Dick Laske from North Scranton, some of you

23 know me. And thank you, Mr. Courtright, for putting a

24 little pressure on the DPW, we're going to have a

25 meeting, so --

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5

1 MR. COURTRIGHT: You are? It was set

2 up?

3 MR. LASKE: Oh, yeah. He's been in

4 contact with Bill Moran.

5 MR. COURTRIGHT: Very good. I'm happy

6 to hear it.

7 MR. LASKE: All I want to is settle it.

8 I just want to --

9 MR. COURTRIGHT: That's all any of us

10 want.

11 MR. LASKE: -- have him admit he made a

12 mistake. See, I'm used to holding the tape, but I hold

13 the dummy end, you know what I mean, I don't get in no

14 trouble, I don't have to take no readings or nothing.

15 Okay. The Northeast Credit, as you

16 know, I'm not an admirer of this, I don't see why the

17 city couldn't keep everything in-house, even if it
18 means hiring a couple more people down the tax office,
19 because they not only collect taxes, and they're making
20 it sound like they're helping the city.

21 In my opinion, they are not helping the
22 city, they're giving us a bad name, because I
23 personally had problems with them, but I worked it out.

24 Okay. Now, let me just tell you this,
25 and don't take it personally, I really believed that

6

1 when you five people were elected to Council and with
2 the new mayor, we were going to progress. I'm sorry to
3 say this, we did not progress.

4 In four years' time, we are deeper in
5 debt, we lost the golf course, which was one of the few
6 things making the city money, we lost the South Side
7 Complex, or pretty close to it, right? It's sad. It's
8 sad.

9 Okay. Now, I'm going to tell you a
10 little story in a while, but first I'm going to say
11 something to John, if that's permissible.

12 MR. POCIUS: You're smiling, what do
13 you got?

14 MR. LASKE: (UNTRANSCRIBABLE.) It's a
15 Christmas greeting, you know what I mean? And now that
16 you're going to be leaving, (UNTRANSCRIBABLE), go with
17 God, okay? You did a good job, John. And every time I
18 think of you, I go over the East Market Street Bridge.

19 MR. POCIUS: Thank you.

20 MR. LASKE: And every time I go over
21 the East Market Street Bridge, I get annoyed, because
22 when you were working on the project, you kept the
23 residents in North Scranton up to date, you did
24 everything but kiss their feet to get them to put a box
25 culvert.

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7

1 Now, what's going to happen is five
2 years down the road when that trail opens up, right,
3 they're going to say, Boy, that John Pocius, he didn't
4 put a box culvert in. It wasn't your fault.

5 MR. POCIUS: I know.

6 MR. LASKE: You know it, I know it, and
7 a lot of other people should know it.

8 Okay. Now let me tell you a story
9 about two cows, I know, it's for real, honey, cows are
10 for real, you know, there was a city cow and a country

11 cow, well, see, I was born on a farm in
12 Madisonville, Pennsylvania, now, the city cow we'll
13 refer to as a cash cow, now, the regular cows on the
14 farm, they only milk so long after they freshen, by
15 freshen means they have a calf and then you start
16 milking, there's first calf heffers so on and so forth,
17 but anyway, the way the cash cow works in city like
18 there's no end to it, you just keep milking her and
19 milking her and coming up with more and more money.
20 Now you want millions of dollars more.

21 Well, I don't know where you people buy
22 your cows, but my dad's cows, he used to have to dry
23 them off, rebreed them, let them freshen and start the
24 cycle all over, but the cash cow in Scranton, it's
25 going on and on and on, and I'm starting to get a
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8

1 little nervous, because I don't know if I'm going to
2 live to see the city break even.
3 I really thought after this four years,
4 we were going to be closer to solvency, but I don't
5 know when it's going to take place, okay?
6 So, don't -- no one -- I hope I didn't
7 offend no one, and I wish you all a nice happy holiday,

8 regardless of what the atheists think about Merry
9 Christmas and using God's name.
10 I'm from the old school, and if these
11 people think there's no God, why is snow white and it
12 isn't blue or green or pink? Why is a maple tree a
13 maple street and not a hemlock, you know?
14 But the pathetic thing about a lot of
15 them atheists, were you ever with one when he's dying?
16 Oh, man, he's praying for God for all the help he can
17 get, but he's too late. Thank you and have a good
18 holiday.

19 MR. DIBILEO: Thank you, Mr. Laske.

20 Ozzie Quinn.

21 MR. QUINN: Ozzie Quinn, President of
22 the Scranton-Lackawanna County Taxpayers and Citizens
23 Association. Good evening. You know, Council, I'm
24 here tonight regarding 7-B, final reading of
25 resolutions and ordinances for consideration for

9

1 adoption regarding the public hearing we had last week
2 which I addressed to Council on for the borrowing the
3 \$12 million by way of the Sewer Authority, I feel that
4 the Council has broken the Sunshine Act, okay, and let

5 me explain a little further, and I feel that that vote

6 should not be taken tonight.

7 The Sunshine Act as described is,

8 The General Assembly finds that the right of the public

9 to be present at all meetings and agencies to witness

10 the deliberation, policy, formulation and decision

11 making of agencies is vital to the enhancement and

12 proper function of the Democratic process and that

13 secrecy and public affairs under minds the faith of the

14 public and government and the public's effectiveness of

15 fulfilling its role in a democratic society.

16 The General Assembly hereby declares it

17 to be the public policy of the Commonwealth to insure

18 the right of citizens to have notice of the right to

19 attend all meetings of agencies at which agency

20 business is discussed or acted upon as provided in this

21 act.

22 Now, I'm here to say that it appears

23 that are some improprieties that were done last week,

24 okay? And I back that up, because I feel that there

25 was a secret meeting held regarding, and I really am

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10

1 miffed about it, hoodwink, okay. Because of the fact

2 that I stood up here for the citizen participation
3 meeting, and already The Scranton Times, they were
4 printing that it was approved, that ordinance.
5 That was printed the day after the
6 public hearing here, May 9 -- December 9, so that only
7 is indicative of the fact that the mayor or whoever had
8 it had three votes or this would never have been sent
9 over to The Scranton Times, and I feel it's in
10 violation --

11 MR. COURTRIGHT: What ordinance are you
12 talking about? I'm not quite sure what ordinance
13 you're speaking about.

14 MR. QUINN: Ordinance regarding the
15 Sewer Authority, Mr. Courtright --

16 MR. COURTRIGHT: Oh, okay.

17 MR. QUINN: -- regarding the \$12
18 million using the mechanism of the Sewer Authority for
19 borrowing, okay?

20 MR. DIBILEO: Now, that's the DPW
21 building.

22 MR. QUINN: That's the DPW. No matter
23 what it is, it was sent over to The Scranton Times to
24 be published as an approved final project, and the only
25 way that could have been done is in secret meeting

11

1 because there was --

2 MR. POCIUS: No.

3 MR. QUINN: Let me explain there, no,

4 there could never have been -- there was no vote taken

5 on that night, because Mr. Pocius said we will not take

6 that vote, we'll wait until next week, but, however,

7 whoever sent this over to The Scranton Times assumed

8 that you were taking that vote and had this printed the

9 next morning.

10 Now, somebody up there had made an

11 agreement with the mayor, because I want to ask you

12 something, and I asked Kay Garvey, Kay, did you send

13 this over to The Scranton Times, this notice? Did

14 anybody from the City Council?

15 MS. GARVEY: No.

16 MR. QUINN: So, this is sent over from

17 the mayor's administration, I presume. So, in order

18 for the mayor to send something over like that, I don't

19 think the mayor is dumb, I think he would have to have

20 known he had to have three votes, so somebody up there

21 had told the mayor that they would vote for him, and

22 that third vote was done secretly, and it was somewhat

23 like a quid pro quo, I think, and I dislike it, and I'm
24 asking you, Mr. DiBileo, to ask your solicitor to look
25 into the Sunshine Act, and, please, put in abeyance
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12

1 that motion tonight to adopt that \$12 million loan,
2 because it's tainted because of the fact that that was
3 approved by -- as advertised in the December 9 edition
4 of The Scranton Tribune. Any questions on that?

5 MR. DIBILEO: The only thing I have to
6 say is that I was not aware of it, and quite possibly
7 it was put in there with the assumption that it will be
8 approved. I don't know, but, yeah, I'm not aware of --

9 MR. QUINN: Well, it's on here with the
10 assumption --

11 MR. DIBILEO: And there wasn't any --
12 no, there was no meetings that we weren't present here
13 for.

14 MR. QUINN: I know that.

15 MR. DIBILEO: Anytime three Council
16 members get together --

17 MR. QUINN: Why would the mayor send
18 over that he has approved a resolution -- has been
19 approved by City Council for \$12 million if he didn't

20 have the vote?

21 MR. DIBILEO: Maybe he was assuming

22 that that evening --

23 MR. QUINN: I don't think the mayor

24 would assume that.

25 MR. DIBILEO: -- the rules would have

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13

1 been suspended and we would have voted on that.

2 MR. QUINN: I don't think the mayor

3 would have assumed that, I think somebody guaranteed

4 him a vote up there, and I don't know who it is, and

5 I'm -- it sort of miffs me, because I'm hoodwinked that

6 this could be done. It takes the credibility away from

7 democracy that this could be done behind closed doors.

8 MR. POCIUS: There was no closed doors.

9 MR. QUINN: What's so funny about it,

10 Mr. Pocius?

11 MR. POCIUS: Hoodwink, closed doors, I

12 don't even know what you're talking about.

13 MR. QUINN: I know you don't know what

14 I'm talking about --

15 MR. POCIUS: I know what I'm talking

16 about. You don't have a clue what you're talking

17 about.

18 MR. QUINN: Well, you wouldn't be --

19 MR. POCIUS: I'll fill you in later on

20 maybe.

21 MR. QUINN: This is the first time I

22 heard you talk up in a long time there, Mr. Pocius.

23 MR. POCIUS: Sorry, Mr. Quinn, that we

24 don't agree on this, but there was no hoodwink, there

25 was no clandestine meeting in the middle of the night

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14

1 under a candlelight to do this, okay?

2 MR. QUINN: You mean to tell me that

3 the mayor would send that over?

4 MR. POCIUS: The mayor didn't send

5 anything over, Mr. Quinn.

6 MR. QUINN: Somebody handcarried that

7 over to The Scranton Times. Kay, did you take it over?

8 MR. POCIUS: She said no.

9 MR. DIBILEO: Yeah. Yeah, there -- all

10 I know, Mr. Quinn, is that there were no meetings that

11 the public wasn't aware of. I don't know who sent the

12 ad over.

13 MR. QUINN: There was a meeting,

14 whether it was a conference call or what, and I'm
15 asking you to ask your solicitor to please abandon that
16 vote tonight until he looks into what I'm saying here
17 about this appearance of an inappropriate being done,
18 okay? And it's good to see Mr. Pocius gone.

19 MR. DIBILEO: Doug Miller.

20 MR. DOUG MILLER: Good evening,
21 Council. Doug Miller, Scranton.

22 MR. DIBILEO: Good evening.

23 MR. DOUG MILLER: I'd like to apologize
24 to Council, last week I brought some questions up and
25 sort of demanded answers, and you give me the
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15

1 opportunity to come here every week and speak, and I
2 don't want to be demanding things. You're adults, and
3 I'm a kid, I shouldn't be doing that, so I'm sorry for
4 that.

5 MR. POCIUS: No problem.

6 MR. DIBILEO: That's okay.

7 MR. DOUG MILLER: I would like to
8 announce the tenth annual Bob Bolus, Sr. Christmas Day
9 Dinner that will be going from 11 a.m. to 6 p.m. at St.
10 Lucy's Church auditorium. I think it would be nice to

11 see some kids go down and help out and volunteer.

12 MR. DIBILEO: What date is it, Doug?

13 MR. DOUG MILLER: It would be Christmas

14 Day.

15 MR. DIBILEO: Okay. Sunday,

16 December 25.

17 MR. DOUG MILLER: From eleven to six.

18 MR. DIBILEO: Eleven to six, Saint

19 Lucy's.

20 MR. DOUG MILLER: Auditorium.

21 MR. DIBILEO: Okay.

22 MR. DOUG MILLER: I would like to thank

23 Mr. DiBileo and Mr. Pocius for all the hard work and

24 effort you put in during your years on Council. You've

25 given me the opportunity to speak here every, and I

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16

1 appreciate that. You're both professionals, and I

2 respect both of you.

3 MR. POCIUS: Thank you.

4 MR. DIBILEO: Thank you, and you're

5 welcome.

6 MR. DOUG MILLER: And with that said, I

7 would like to wish everyone a Merry Christmas and a

8 Happy New Year. Thank you.

9 MS. EVANS: To you, too.

10 MR. DIBILEO: Thank you very much,

11 Doug.

12 MR. COURTRIGHT: Thank you for the

13 card.

14 MR. POCIUS: Doug, thank you for the

15 card. The thought was very nice. To go out of your

16 way like that, very nice.

17 MR. DIBILEO: Appreciate it. Thank you

18 very much, Doug. Happy Holidays. Raymond Lyman.

19 MR. LYMAN: Raymond Lyman. Yeah, I

20 want to talk about 7-E, about the Northeast Credit,

21 see, I had a problem with Northeast Credit, they tried

22 to say that I didn't pay my garbage tax for a couple of

23 years and they put liens on my property, on my car,

24 they ruined my credit, and I had to take them to court,

25 and I won my case.

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17

1 I was nice enough to talk to them,

2 didn't do nothing. I had receipts that I paid for the

3 years, and they called me up on Sunday, Saturdays, all

4 hours threatening, even had someone come to my door,

5 threaten my mother, so I want to tell you not to renew
6 this contract with them.

7 When that lady came here and said that
8 they don't harass people, that was a lie, that was a
9 boldface lie.

10 They threaten people to have them
11 arrested, and I took them to court, I told the judge
12 what I said what they did to me, I had tape recordings
13 on my answering machine, the threatening calls, the
14 letters, and the lady, the owner of, what is it, the
15 manage that you had here, she said they didn't do that,
16 I played the tape recordings, right in front of the
17 judge, he even called her a boldface liar, that they
18 don't do this and the person who sent these letters
19 from the collections. And when I said that I paid my
20 bill, and I said to her, You're a liar.

21 So, I'm saying now that this should not
22 be passed. You have people downstairs in the tax
23 department that could do this, that this shouldn't be
24 due.

25 Now, my lawyer wanted to go, and even I

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18

I want to go after Mayor Doherty, because it was his

2 responsibility not to do this to me. I thought this
3 was political that he wanted revenge to do this against
4 me because I supported Gary DiBileo and Janet Evans,
5 that's what I thought, I assumed that, but then my
6 lawyer said that it might not have been, but I assumed
7 it, because I assumed it.

8 Now, I also want to talk about
9 Mrs. Chilipko that came here a couple of weeks ago who
10 demanded a job here as city clerk, now, she has a job
11 at the Pine Brook substation, I wanted that job, but I
12 was turned down because I supported Mrs. Evans and
13 Mr. DiBileo.

14 Now, the salary at that job, I'm not
15 going to say how much it is, but it's a lot of money,
16 but I was turned down because I supported Mrs. Evans
17 and Mr. DiBileo, and she's a Doherty supporter, because
18 she gave to his campaign, and this year she's going to
19 get a raise because of that, and that's why she came
20 down here because she thought --

21 MR. DIBILEO: Ray, we can't really
22 discuss this, and that's assuming that what you're
23 saying is correct. I find it hard to believe that that
24 would be the actual situation.

25 MR. LYMAN: Well, it is the truth.

19

1 MR. DIBILEO: The thing is, I'm
2 wondering if you might be able to move on now to
3 something else, other than politics.

4 MR. LYMAN: Okay. Now, I want to talk
5 about my street on Phelps Street. The last three
6 storms, my street wasn't plowed because of the snow.
7 Now, I called the DPW department preponderate wait a
8 moment how many times, it must be about 20, 30 times,
9 and it doesn't get plowed, and I'm getting fed up of it
10 getting the answering machine or the hang-up calls, and
11 the one time I did get a call, I talked to somebody,
12 they don't want to do nothing.

13 MR. DIBILEO: Hold on one second. Kay,
14 can you request that DPW take a look at Ray's street
15 during the next, you know, upcoming snowstorms?

16 MS. GARVEY: Okay.

17 MR. LYMAN: The 300 block of Phelps
18 Street. And I want to thank you for all the years
19 you've been here on City Council. I thought you did a
20 good job.

21 MR. DIBILEO: Thank you, Ray.

22 MR. LYMAN: And, Mrs. Evans, I got you

23 something for Christmas. Is it okay if I come up?

24 MR. DIBILEO: Yep.

25 MS. EVANS: Thank you very much, Ray.

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20

1 MR. LYMAN: And I want to say Merry

2 Christmas and a Happy New Year for the rest of the City

3 Council. And since you guys ain't going to be here for

4 the next couple of weeks, right? Well, when's the next

5 City Council then?

6 MR. DIBILEO: Monday January 2.

7 MR. LYMAN: January 2?

8 MR. DIBILEO: Yeah.

9 MR. LYMAN: Oh, okay. Is that when the

10 new Council comes in?

11 MR. DIBILEO: It won't be a regular

12 meeting, it's when the old Council members leave and

13 the new Council members take their seats.

14 MR. LYMAN: You guys will still be here

15 until the second?

16 MR. DIBILEO: And actually, that time

17 hasn't been scheduled for that meeting.

18 MR. LYMAN: You guys will still be here

19 until the next City Council takes over?

20 MR. DIBILEO: I personally won't be
21 here for that meeting, but I believe Mr. Pocius will
22 and I think everyone else will.

23 MR. LYMAN: Oh, that's the swearing in
24 then. Oh, okay.

25 MR. POCIUS: No, that's the bowing out,
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21

1 not the swearing in.

2 MR. LYMAN: Well, you know --

3 MR. DIBILEO: That same day is the
4 swearing in.

5 MR. POCIUS: Same day. And probably
6 ten o'clock or so will be the sine die meeting, and
7 then eleven o'clock or so will be the new meeting for
8 the new Council.

9 It's a holiday, there shouldn't be any
10 problems this year.

11 MR. DIBILEO: It should be Monday
12 morning, January 2.

13 MR. LYMAN: Yeah, because I know
14 because of the swearing in for the judges and that.

15 MR. DIBILEO: Yeah.

16 MR. LYMAN: Because that's going to be

17 a big thing for all those judges.

18 MR. DIBILEO: That's right. Thank you,

19 Ray.

20 MR. POCIUS: Thanks, Ray.

21 MR. DIBILEO: Appreciate it.

22 MR. LYMAN: Well, Happy Holidays, Happy

23 Hanukah and then Passover and you know what I mean.

24 MR. POCIUS: Merry Christmas.

25 MR. DIBILEO: Happy Holidays.

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1 MR. LYMAN: Happy Holidays.

2 MR. DIBILEO: Thank you. Lee Morgan.

3 MR. MORGAN: Good evening, Council.

4 MR. DIBILEO: Good evening.

5 MR. MORGAN: I'm going to read

6 something, and then I'm going to ask a question. Okay.

7 Mr. Quinn was talking about an article that was printed

8 on Friday, December 9, and the article states, Notice

9 is hereby given that the City Council, the Council of

10 the City of Scranton, Pennsylvania, the city as a

11 meeting of the Council held on December 8, 2005,

12 finally enacted an ordinance. The ordinance

13 authorizes, among other things, the incurrence of lease

14 rental debt of the City of Scranton in principal amount

15 not exceed to exceed \$12 million.

16 Now, my question is this, Isn't this

17 the same thing that we're still debating here on 7-B?

18 MR. DIBILEO: Yes, it is.

19 MR. POCIUS: Yes.

20 MR. MORGAN: Okay. Well, how is this

21 printed in the newspaper then?

22 MR. DIBILEO: I was not aware of it

23 until this evening until Mr. Quinn mentioned it.

24 MR. MORGAN: So, then there's some

25 question as to how this came to the newspaper then.

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23

1 So, why are we going to allow this to pass through

2 Council then if there's -- if there's a possibility

3 that something was done in the end which is going to

4 hurt the taxpayers of this city quite possibly,

5 \$12 million is a lot of money, and if there's something

6 that was improve in how this was moved through Council

7 or how this came to The Scranton Times, don't you think

8 Council has the responsibility to stop this vote and

9 protect the time taxpayers until we find out exactly

10 who put this in the newspaper, why it's here, and why

11 we're still debating it tonight?
12 I mean, you know, Thomas Jefferson
13 warned that government was corrupt by its very nature,
14 and here we stand today, and we all know who Thomas
15 Jefferson was, he's one of our founding fathers and he
16 actually said that, and here we have a situation where
17 we have an article printed in the paper, and it's still
18 being debated by Council, and not only that, okay, we
19 can go to 7-G, 7-H, 6-C, 6-D, I mean, all of this is an
20 ocean of red ink. It's borrowing on borrowing and
21 borrowing.

22 You know, I had an elderly person say
23 to me today, you know what, I couldn't afford my \$300
24 heat bill. I mean, does anybody here have any reality
25 at all of what's happening in this city?

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1 All we know how to do is borrow,
2 borrow, borrow, borrow, and everybody's wondering about
3 what office they might be able to run for next or who
4 we can give a favor to or what political people we can
5 rub shoulders with, but the rank and file people in
6 this city are suffering, the city is bankrupt, we're
7 all talking about how we're going to borrow more money,

8 we're bringing CRF back up off the floor. There's
9 absolutely no representation of any of the residents in
10 this city.
11 Take a look at the neighborhoods, take
12 a look at the state of the city. When's the borrowing
13 going to end and how are we ever going to pay this debt
14 back? Nobody has any idea.
15 And I'd just like to say that the
16 people finally have to come to the conclusion that
17 we've had Council after Council come forward and have
18 all these grand plans, and in the end, they all
19 collapse and everybody's left with an ocean of debt,
20 and the only reality that there is is that we have to
21 put all the tax in escrow, ask the courts to come
22 forward and protect us, and all these bonds who were
23 underwritten by insurance companies, let them eat the
24 debt and let's get rid of everybody we have to get rid
25 of.

25

1 Because you know something, I don't see
2 how we can even move this legislation through here,
3 honestly. I don't see how we can borrow all this
4 money.

5 And like I asked before last week, is
6 this city bankrupt? How are we going to pay our bills?
7 Not one person on that Council, I think, has an answer.
8 Go ahead.

9 MS. EVANS: Mr. Morgan if I might
10 respectfully disagree with you, I feel I've certainly
11 been very aware of people's concerns, and I think you
12 know, as well as I know, how I've cast my votes, so I
13 think to say that every person on every Council has
14 ignored the people, is much like taking the baby and
15 throwing it away with the bath water here.

16 In terms of what are we going to do, I
17 think first of all, the city is extended these credits,
18 at ability to borrow, because in fact the true
19 collateral is you, the taxpayer.

20 When the city pledges full faith and
21 credit, this city is indeed promising to levy a tax
22 increase if it can't meet its debts. So, as I said,
23 all of us, we are the collateral on these loans.

24 And as far as I can see, there are only
25 two possible solutions, because I myself don't consider
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1 bankruptcy to be among them. I believe that either a

2 significant tax increase will be levied, or there will
3 be a refinancing in the future of all the city's debt,
4 which will then spread the long-term debt service over
5 a period of many, many, many years, and in so doing,
6 you will then create a situation where the interest
7 will be much larger than the principal that is owed on
8 this money.

9 So, what it comes down to at this point
10 is either you can bite the bullet in the near future
11 with great tax increases, which I am fully aware no one
12 can afford, or you can spread this out over another
13 30 years and have you and your children and your
14 grandchildren pay for it. And that's basically the
15 financial chaos we have been painted into over the last
16 four years.

17 MR. MORGAN: The thing I'd like to say
18 is this, government has motion to the detriment of the
19 residents. The owners of this country have been
20 disenfranchised by their elected officials. That's
21 what's happened here.

22 And when you talk about refinancing, if
23 you can't pay your debt, it doesn't help to refinance
24 to any amount you want to refinance.

25 And the thing about throwing the baby

1 out with the bath water is, that after you wash so many
2 people in the bath water, the water gets so murky, you
3 don't even know the baby's in the water when you throw
4 him out the window, and that's the problem here. Thank
5 you.

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

7 Mike Dudek.

8 MR. DUDEK: My name is Mike Dudek,
9 608 Depot Street, Scranton, PA. I thanked Mr. Pocius
10 for his service. Mr. DiBileo, it's your turn. Thank
11 you very much for your service to the city on this
12 Council. We certainly are going to miss you. We hope
13 and I pray that you stay active in our public life in
14 this city. Please do so.

15 MR. DIBILEO: Thank you very much.

16 MR. DUDEK: Two things I want to bring
17 to our attention, one I think is somewhat on the
18 lighthearted side and one is very serious, the one
19 thing that I've still noticed in the city, there has to
20 be at least by my count over 100 different Doherty
21 posters, Doherty For Mayor posters, rimming this town,
22 especially in West Side, is there an ordinance asking

23 that political posters be taken down? I thought there
24 was something on the books to that effect.

25 MS. EVANS: I don't know, and maybe

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1 Mr. DiBileo knows, but I think even if that were the
2 case, that's already been violated, in that, political
3 signs were up from the primary straight through the
4 general.

5 I saw many litter the streets this past
6 election season, and I can't recall having ever seen
7 anything quite like that before.

8 MR. DUDEK: Now, I have to admit, I saw
9 one of yours, but you're not going to get your hands on
10 it, and the reason is because the driver's side window
11 in my truck is out and your poster is the only thing
12 keeping me warm.

13 The second item that I'd like to raise,
14 and this is a serious one, the Sanderson Avenue bridge
15 where it meets Sanderson Avenue is lifted, it's lifted
16 about a third to a half an inch and it is uniform
17 straight across the street, okay?

18 This is not a pothole I'm talking
19 about, it's -- as I look at it, it looks like to me it

20 might be at an expansion joint or it's just where the
21 bridge meets the street.

22 As you go North on Sanderson, as soon
23 as your tires hit the bridge, you'll feel a thump, and
24 as you're coming back from The Plot into the city,
25 sometimes your teeth will chatter when it hits.

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1 There's something very seriously wrong or something
2 very seriously amiss there, and I would appreciate it
3 if Council could ask the city engineer to please take a
4 look at that. That has developed only within the last
5 two weeks. I live in that area. I know what I'm
6 talking about.

7 That was nice and smooth on both sides,
8 all of a sudden, one side has lifted up about a third
9 to a half inch. To me, that's seems significant
10 because of the fact that it happened so quickly over
11 such a short period of time, and it is uniform and
12 straight across the street, and I'd ask Council to
13 please have somebody check that before something
14 serious comes of it. Thank you very much. Oh, and
15 Merry Christmas, Happy New Year to all of you.
16 MS. EVANS: And you, also.

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

18 MR. POCIUS: Just on those comments so

19 we don't send the City of Scranton into a panic here,

20 more than likely nothing is wrong with the bridge,

21 Mr. Dudek, more than likely we have the putaminous meet

22 the concrete deck, more than likely the putaminous end

23 in the colder weather has shrunk slightly, which it

24 will over time, so there's nothing wrong with the

25 bridge.

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1 I know there was a lot of work done on

2 that bridge with the flood walls and things like that,

3 they had to add them, different work there, so you

4 could send a letter to the city engineer, but believe

5 me, that bridge is not going anywhere, because what it

6 is is the uniform sediment would be the pavement

7 probably shrunk and contracted at the concrete joint,

8 because normally, well, I don't want to get into a lot

9 of engineering, everybody seems to have an engineering

10 degree these days, but believe me, that's not a

11 problem, Kay, but you can send a letter to George.

12 MR. DUDEK: So, you don't think I have

13 to be really that worried about it?

14 MR. POCIUS: No, don't worry about it,

15 believe me.

16 MR. DUDEK: This is another reason why

17 I am going to miss you on Council. Thank you very

18 much.

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

20 And just briefly, Mr. Dudek, you mentioned the

21 political campaign signs, I did get a few complaints on

22 the fact that some signs are still up and the election

23 was over a month ago, and I was a candidate in the

24 election, you know, political signs are for the most

25 part considered a nuisance, people often complain about

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1 them, and, you know, I can't control anyone that may

2 have displayed my personal political sign, but I would

3 like to ask them that if they're still displaying those

4 signs, that I would appreciate it if they would

5 consider, you know, taking them down.

6 I'd like to think that all candidates

7 would do the same thing. Somebody who complained

8 recently said, You know, in Bagdad political signs stay

9 up all year round, and we're pushing a full year now

10 almost that political signs are up in Scranton, and I

11 don't know if they're going to be up year round or not,
12 but I don't think anybody needs any more brainwashing
13 than they already have, so let's hope all candidates
14 will follow through and ask their supporters to remove
15 their political signs. Thank you very much.

16 Erik Johnson.

17 MR. JOHNSON: Good evening, City

18 Councilmen and staff.

19 MR. DIBILEO: Good evening.

20 MR. JOHNSON: Erik Johnson, resident

21 and taxpayer of Scranton. The 2006 budget on the

22 agenda tonight, the administration has asked

23 City Council to suspend the rules and to approve the

24 borrowing. I say there ought to be some changes made

25 in the contract concerning what's fair in hiring or

.

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1 terminating our raises and freezes of wages paid to its

2 city workers, union or non-union.

3 If you're going to give raises to

4 non-union workers and administration employees, you

5 need to set a good example of yourselves to the union

6 workers and the public taxpayers to include raises to

7 all union workers, instead of freezing only union

8 workers.

9 All non-union workers' wages need to be
10 absolutely likewise frozen -- I meant to say the union
11 ones, the non-union, that's right, frozen as the union
12 workers.

13 And if there are number of
14 administration job creations, as The Times-Tribune
15 says, meaning to be hired and raises to the
16 administration employees at the expense of cutting four
17 clerical union jobs, I call that absolutely unfair.

18 And also, it's anti-recovery practice.

19 These four union jobs need to be
20 restored. The public is coming to me in all favor of
21 these grievances. And do I agree as they asked me? I
22 absolutely echo the voices.

23 I heard hiring \$50,000 a year job for
24 the administration assistant aides at the expense of
25 four twenty union clerk jobs. It's unfair and

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1 anti-recovery planning.

2 This issues needs to be changed to be
3 pro-recovery in all forms of hiring, raises, freezes
4 and terminating of all city employees, union or

5 non-union, a non-disputed fair labor practice.
6 You can't expect it's fair to be -- to
7 be taken for granted in public -- granted public who
8 voted for the recovery plan, and another for years for
9 the same administration to be biased against
10 low-paying, most likely female workers, to be
11 terminated, in place of higher-paying assistant
12 consulting jobs, as it isn't fair for our lawmakers to
13 cut Medicare and Medicaid assistance to our elderly,
14 low income or poor people of America, at the expense of
15 the War in Iraq.

16 These cuts are also including the
17 already financial troubled hospitals and nursing homes
18 the wealthy would be able to afford, plus their
19 benefits, while the low income and poor, if these cuts
20 continue on and on, will have nothing but else to lay
21 down and die, because they couldn't afford to live a
22 full life in the richest country in the world as
23 Americans.

24 Take away their shelter, food,
25 hospitals, nursing homes and college education, what

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1 else is left, but unwanted life and overcrowded

2 prisons, rise in crime and a more unsafe America.

3 Let's all Americans enjoy being allowed

4 to live their full lives in America. I pray for our

5 American military personnel with full support of their

6 safety, and also I may be Swedish descent, but I'm an

7 American first, and I love being an American, as we all

8 should be American first.

9 And also I want to thank Gary and John

10 for their great services as city councilmen. Happy

11 Holidays for you all.

12 MR. ANCHERANI: I guess it's fast

13 tonight. Good evening, Council. I'm Nelson Ancherani,

14 resident, taxpayer, member of the FOP.

15 I guess the purpose of tonight's

16 special meeting is the 2006 city budget and the

17 proposed borrowing of \$12 million. Believe me when I

18 say, the city is in serious financial trouble. We are

19 in a situation where we're even wearing body hip boots.

20 We're in way over our heads.

21 The mayor and PEL have been saying that

22 the recovery plan has to be implemented so the city can

23 get out of its financial mess.

24 Implementing the plan will never get

25 the approximately \$300 million long-term debt paid off.

1 Frivolous spending and borrowing by the city have made
2 it impossible for the recovery plan implementation to
3 put a dent into the debt.

4 Jerry Cross and Harry Miller from PEL

5 finally show up at Council and defended the unlimited
6 spending and borrowing that has gone over the last four
7 years. Were their heads in the sand?

8 This is four more years of job security
9 for PEL. They buried their heads in the sand and let

10 the city fall off the edge of a flat world. The city
11 violated the recovery plan right from the beginning
12 when they gave out raises and created new positions.

13 The cost from 2002 through 2005 was \$3.4 million.

14 Adding in the raises and new positions

15 from 2006 to the \$3.4 million, the total raises -- this

16 total raises to \$5,028,000. And just so you know,

17 there were no raises for the police or fire in the

18 recovery plan, so the unions can't be blamed. Again,

19 where was PEL?

20 Now the budget, Connors' last budget in

21 2001 totalled \$55,790,000. Doherty's 2006 budget

22 totals \$74,695,000. This is an \$18,905,000 increase in

23 five years, but that's not cumulative.

24 Cumulatively the increases is more than

25 \$37 million. What do we have out there to see what it

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1 was spent on? A DPW owned by the Scranton Sewer

2 Authority and leased back to the city, a new police

3 building not big enough to fit the entire department

4 under the same roof, at Nay Aug a new Davis Trail with

5 raw sewage running across it, a new fishpond filled

6 with green water, electrical wires dangling from trees,

7 a smaller than regulation bath house, streets needing

8 paving and much more, but I only have five minutes, so

9 I'll never get them in.

10 Don't forget that the city -- that

11 since the city borrowed \$72 million, plus \$8 million

12 more since 2002. When Connors left office, the debt

13 was \$26 million, and he left a \$3 million surplus.

14 Now even with a record budget, the city

15 needs to borrow \$12 million more to survive. You would

16 think that with \$300 million long-term debt looming on

17 the horizon that the city could have come up with the

18 \$20,000 to pay our city employee soldiers who served in

19 Iraq.

20 Oh, well, the \$20,000 may bankrupt the
21 city, or on the other hand the city wouldn't have been
22 able to fund a new public safety director \$50,000, or
23 the new phone answering position at the DPW, and I
24 believe that one was also \$50,000.

25 In the City of Scranton 2006 operating
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1 budget expenditures summary by department, the police
2 and fire have a combined increase in their expenditures
3 of \$568,843. That is for over 300 employees. Compare
4 this with the DPW, whose increase is \$1,089,992, and
5 they have approximately 100 employees.

6 The Department of Parks and Recreation
7 has an increase of 153,178, and has around 12 to 15
8 employees. The category non-departmental has a 2006
9 increase of \$6,322,822.

10 The police and fire combined have over
11 half the employees in the city and have an increase of
12 \$568,843.

13 Between the DPW and the Department of
14 Recreation, they have one-third of the police and fire
15 employees, but yet the increase for those two
16 departments are over twice as much as the police and

17 fire.

18 In the December 9, 2005 newspaper

19 article, city tax hike may be coming by Lynn Slack

20 Shedlock, staff writer, City business administrator Len

21 Kresefski, when asked by Councilman Bill Courtright if

22 there would be a shortfall with the recovery plan, if

23 the only way to fill it is with a tax increase,

24 Mr. Kresefski said, and I'll quote it, It would appear

25 so at this time.

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1 It has been said time after time a tax

2 increase is coming. It is probably going to be a big

3 one.

4 So, \$6,322,822 can be saved by

5 eliminating the non-department expenditure increase,

6 and another \$1.7 million can be saved by eliminating

7 new hires and scaling back the raises to 2001 levels.

8 That's \$8 million that could be saved.

9 Mrs. Evans, Stand firm. I commend you.

10 And, Gary, you will be missed. And at least I can say

11 I wasn't gaveled out of order at any time in the last

12 two years.

13 John, at least, you know, I won't have

14 anybody to argue with now, so --

15 MR. POCIUS: Like I told you out in the
16 hall, Nelson, what we do here is here, but you're still
17 a friend of mine, I've known you a long time, and I
18 wish you nothing but the best, you know that.

19 MR. ANCHERANI: Same to you. Oh,
20 Happy Holidays.

21 MR. POCIUS: No personal feelings ever.
22 Just like playing a game when you're on the field, when
23 you walk off the field, there's no hard feelings. I
24 told you that out there, and I'll say it in front of
25 all the people here. You're a good guy.

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1 MR. ANCHERANI: Thanks.

2 MR. POCIUS: You graduated with my
3 brother-in-law from West Scranton High School, I saw
4 your picture in the yearbook, I don't want to bring
5 that up.

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

7 Are there other speakers? Go ahead.

8 MR. DAVIS: Asssalaam Alaikum. I
9 wasn't coming back this evening, but I made a mistake
10 when I was here last time. I said Mrs. Bailey had

11 eight children, I found out she had ten children.
12 We had a fantastic repass after the
13 funeral was over, and when you sit there and look at
14 all these kids that graduated from Scranton High
15 Schools and did so very, very well all the way through
16 their lives and now they're being very successful in
17 other placed, and I keep saying to them, Jee, I wish
18 you guys would come back to Scranton. And they look at
19 me and they say, For what? For what?
20 And it's sort of discouraging, because
21 when I talk to the school board they tell me that
22 20 percent of the people who graduated in the last five
23 years from Scranton High School and West Side were
24 minorities, were African Americans, 477 graduated, 87
25 of those were African Americans in the last year.
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1 For some reason or another, 20 percent
2 of the population keeps graduating from high school,
3 and we have an unemployment rate for minorities in
4 Scranton of 17.5 percent, which has held for three
5 years, five years almost, and nobody is doing anything
6 about it.
7 Nobody uses their -- the whole idea of

8 EOE, equal opportunity employer. Nobody says, Okay,
9 now you have to increase. Since these people have been
10 unemployed for four or five years and their employment
11 is greater than the rest of the population, three times
12 greater than the rest of the population, then you must
13 make an allowance, you must add ten percent, ten
14 percent of those who you hire must be minorities.
15 You have to -- somewhere along the
16 line, and I don't know what department is supposed to
17 -- you mean it's human development or human relations
18 or something or other, is supposed to make sure EOE is
19 actually a thing of law, and it doesn't seem to work.
20 We don't seem to have anything in our
21 -- and it's very real, too, because it's very present,
22 and the kids see it as being a big wall as far as them
23 going forward in this life here, and those who have
24 been successful here and have left here and come back,
25 they find it even worse.

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1 So, therefore, I'm saying to you, I'm
2 going to pray about it, because I think it should
3 change. I think that we have a city that can actually
4 take this problem of unemployment for the minorities

5 and change it.

6 If we do this, if we guarantee ten

7 percent for every company that gets a contract from the

8 city, if you have ten percent of your population to be

9 minorities, fine, you can get a contract. If you do

10 that, in three years, that's 17 and a half percent,

11 it'll be gone. It will be five percent like it is for

12 everybody else, then we will have an even playing

13 field. And that's all we're asking for.

14 We're not asking for any great bias on

15 your part or any bias on our part, we're just asking

16 for an equal playing field so that we can buy our kids

17 things that they need and give them the educations that

18 they want. And thank you very much.

19 These statistics came to me from

20 Mr. King, as far as the school students, and I was

21 amazed when I found out that 20 percent of the

22 population graduate every year, but they don't get

23 hired. I can't understand that.

24 Please help me. If you have any

25 ability at all to change what is going on in this city,

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1 and maybe it's too late, yes, it is too late.

2 Well, I wish you the best, whatever you

3 do from this point on. We watch you.

4 MR. DIBILEO: Thank you, Mr. Davis.

5 And that is a change that we certainly hope can occur,

6 and hopefully will occur.

7 MR. MCANDREW: Good evening, Council.

8 Larry McAndrew, Scranton resident, Scranton Taxpayer,

9 I'm also Vice President the Scranton-Lackawanna County

10 Taxpayers and Citizens Association.

11 I wasn't planning on speaking tonight,

12 I just wanted to be one of those that sit back and take

13 in this final Council meeting for 2005, but I think I

14 have to address this, Mr. Quinn stood up here and said

15 there's a possibility of a violation of the Sunshine

16 Law, and I -- my own opinion is there's no ands, ifs or

17 buts that we put a delay on this motion tonight on

18 final passage of this \$12 million until we get a ruling

19 from the solicitor.

20 So, I ask you, Mr. DiBileo, as Council

21 President, are you going to put a delay on this vote

22 tonight?

23 MR. DIBILEO: Mr. McAndrew, if I

24 believed that there was a reason to do that, I would;

25 however, I believe that that article in the paper, that

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1 ad in the paper, was an assumption by someone that that
2 vote would have occurred in that manner that evening,
3 and I don't think it was anything more than that.

4 It did not come from the City Council
5 office, I don't know where it came from, I know that
6 there was no secret meetings held, but I don't think
7 that that would call for holding of the vote this
8 evening.

9 I know that that vote has to occur by
10 the 15th of December. Actually the reason we're
11 meeting tonight is so that that -- actually tonight is
12 the deadline for that vote.

13 If the money is going to be voted upon,
14 if the money is going to be used for this year, it has
15 to occur tonight, so there really is no holding it up.

16 MR. MCANDREW: Okay.

17 MS. EVANS: Mr. McAndrew, perhaps to
18 allay your fears we can -- and concerns, Neil, could we
19 send a letter to maybe the legal department asking them
20 simply who placed the ad in the newspaper and when that
21 occurred?

22 MR. POCIUS: We don't need any letters.

23 Do you want to know the story? Do you want to know the
24 story, because it will be the same ad placed tomorrow
25 regardless of what figures are going to be borrowed.

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1 The bond counsel was under the
2 assumption that we were on the borrowing -- the bond
3 counsel was on the assumption that it was going to be a
4 suspension of rules and then some form of that
5 legislation would have passed next week, and with all
6 this State Unit Debt act and everything else, there's
7 an advertising period, and that's why it was placed.
8 There was no clandestine meeting. It
9 was just a mess-up. They did not know that we were not
10 going to suspend rules and do it. That's exactly what
11 happened. Stephens and Lee told me that. That's it.
12 It was a mistake. It was an assumption, and you know
13 when you assume what can happen to you, you egg on your
14 face, and that's all it was.
15 There will be an ad of some sort placed
16 tomorrow. I mean, it will be the same ad probably, but
17 it's all part of the Unit Debt Act, and that's their --
18 they were under the assumption that this had to take
19 place --

20 MR. DIBILEO: -- or a new ad would

21 replace the one that was in last week. Someone assumed

22 that the vote would occur last week.

23 MR. POCIUS: I mean, if the question

24 was asked civilly, not that there was some clandestine

25 meeting that we all lit under a candle in a tent in the

.

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1 backyard someplace and voted on this somewhere or that

2 the mayor, you know coerced us into doing this. If it

3 was asked in pretty much a civil manner, I might have

4 given an answer.

5 MR. MCANDREW: I thank you.

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

7 Are there any other speakers? Yes, sir, Chris. And,

8 Chris, even before you get up there, move that

9 microphone a little bit.

10 MR. POCIUS: Just a touch.

11 MR. SLEDZINSKI: How much, Gary, how

12 much?

13 MR. DIBILEO: Any way you want.

14 MR. POCIUS: And don't yell.

15 MR. SLEDZINSKI: I'm not going to yell.

16 MR. POCIUS: It will pick up.

17 MR. SLEDZINSKI: Gary, I'm going to
18 miss you up there. John, I'm going to miss both of
19 you. Good luck in the future.

20 MR. POCIUS: Thanks, Buddy.

21 MR. DIBILEO: Thank you, Chris.

22 Greatly appreciate that, Chris. Thank you very much.

23 Are there any other speakers? Okay. If not --

24 MS. GARVEY: 5-A, motions.

25 MR. DIBILEO: Okay. Mr. McTiernan,

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1 motions or comments this evening, please?

2 MR. MCTIERNAN: Nothing at this time,

3 Mr. President.

4 MR. DIBILEO: Thank you very much.

5 Mrs. Evans, motions or comments this evening?

6 MS. EVANS: Thank you. I ask you to

7 pray for Mrs. Marie Maier and the Reverend Casmier J.

8 Grotnik, both of whom left this life on December 9, and

9 their loving families who are suffering such losses at

10 a very difficult time of year.

11 Also, I wish to recognize my two

12 honorable colleagues who attend their final meeting

13 tonight. Mr. Pocius has served many dedicated years,

14 both elected and appointed. With such length of
15 service comes a wealth of knowledge of policies,
16 procedures and protocol.

17 His career as an engineer offered a
18 panacea for all issues of municipal infrastructure. We
19 did not always agree, but in disagreement, there is
20 education. I respect you and admire your strength and
21 longevity. And with two rookie Councilpersons, and
22 three with only two years experience, your expertise
23 will be missed.

24 And, Mr. DiBileo, you served only four
25 years, yet it frequently had to feel like many more.

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1 During your first two years, you stood alone, often one
2 against four, representing the people.

3 You took a leap of faith and you
4 endorsed Mr. Courtright and me to join you in
5 representing and working for the people of Scranton.

6 And as you gave your support, I gave you mine, and as
7 you offered your friendship, I offered mine.

8 We didn't always agree, but we
9 disagreed with mutual respect and always remained
10 friends. That is as it should be in politics. You are

11 an honorable man, and I shall truly miss you.

12 MR. DIBILEO: Thank you very much.

13 MS. EVANS: Also, as was mentioned

14 earlier, Mr. Bob Bolus will host his annual Christmas

15 party and dinner on Sunday, December 23 in the

16 auditorium of Saint Lucy's Church, and everyone is

17 invited. Don't spend the holiday alone. Come and

18 share it with others.

19 And now to the heart of the situation.

20 Assuming the mayor's proposed recovery plan may stop

21 future borrowing, could he please tell the people where

22 he will find the money to pay off the over \$200 million

23 long-term debt he created?

24 More important, and more immediate,

25 where will this mayor get \$20.8 million in 2006 alone

.

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1 to make the required payment on his long-term debt and

2 to pay off the tax anticipation notes on which he

3 intends to borrow in 2006?

4 I must confess, I have difficulty to

5 rationalize my honorable colleagues' votes to approve

6 the 2006 budget, when the mayor has publicly stated on

7 numerous occasions he will continue to spend and borrow

8 until he puts the recovery plan into effect.
9 We taxpayers cannot deceive ourselves
10 any longer. We can't lie supinely on our backs and
11 allow our city to descend into uncontrollable financial
12 chaos; in fact, we may already be there, but it is
13 natural for people, including myself, to engage in
14 allusions of hope.
15 I seek and want and hope for and will
16 work for a healthy Scranton that truly moves forward
17 without the use of phony political slogans.
18 There's nothing mysterious about the
19 foundations of a healthy Scranton that will actually
20 move forward in a true and realistic way.
21 The basic things we Scrantonians expect
22 of a mayor and his administration are simple, they are
23 a mayor who fills vacant city jobs with qualified
24 residents who can work and who will at all times
25 perform their duties in timely and competent manners,

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1 and administration led by the mayor that provides every
2 Scrantonian with security for his or her person, family
3 and property, a mayor who ends special privileges for
4 his friends and political contributors, as President

5 Thomas Jefferson said, and I quote, Equal rights for
6 all special, privileges for none, a mayor who direct
7 the operation of the city in such a manner that it
8 lives within its means, while providing a good
9 infrastructure and services for all, and finally, we
10 will all know Scranton is healthy when a mayor and his
11 cabinet cause the people to enjoy a constantly rising
12 standard of living.

13 These are the foundations of a healthy
14 Scranton, and of which we taxpayers must never lose
15 sight. The more these foundations are fulfilled, the
16 more the people will see that Scranton truly moves
17 forward.

18 Currently this city is in a poor
19 financial condition and getting worse every day. Right
20 now we have a 28-year fiscal albatross around our
21 necks.

22 It's both necessary and proper to stop
23 the mayor now from borrowing any more money which will
24 increase the long-term debt, equally as important, the
25 mayor must immediately turn Scranton around by curbing

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1 his spending and implement a plan to make Scranton

2 healthy and fiscally sound. Please believe me, at this
3 point in Scranton's history, we have no alternative.

4 That's it.

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

6 and thank you for those kind words, greatly

7 appreciated.

8 MS. EVANS: And I thank you for two

9 years of fine service and of a very good friendship.

10 MR. DIBILEO: You're certainly welcome.

11 I appreciate everything. And, Mr. Pocius, any motions

12 or comments this evening?

13 MR. POCIUS: Just -- I didn't see when

14 we placed the ad in the paper, Kay, was there an ad to

15 cancel the rest of the meetings?

16 MS. GARVEY: No, there hasn't, not yet.

17 MR. POCIUS: Maybe we should do that.

18 I mean, you rescheduled this one, so that took care of

19 the 15th, right?

20 MS. GARVEY: Right.

21 MR. POCIUS: Okay. I'll make a motion

22 that City Council cancels the meetings of the 22nd and

23 the 29th, reason being the upcoming Christmas Holiday

24 season.

25 MR. COURTRIGHT: Second.

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1 MR. DIBILEO: Okay. There's a motion

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

3 MR. POCIUS: Just you place the proper

4 ad, and I think the ad should say, we used to put this

5 in the past something like, Council will be available

6 to come back in the case of an emergency exists or

7 something, but I think it would be appropriate if we'd

8 make a motion to allow you to place the ad.

9 MR. DIBILEO: Just on the question,

10 tonight's meeting, Monday, December 12, is replacing

11 this coming Thursday, December 15, also, so it's

12 actually the 15th, 22nd, 29th.

13 MS. GARVEY: Right. But the ad that ws

14 placed did say that the 15th was cancelled.

15 MR. POCIUS: Rescheduled.

16 MS. GARVEY: Right.

17 MR. POCIUS: Yeah, you're right. This

18 is actually a regular meeting, just moved to another

19 night.

20 MR. DIBILEO: Okay. Good job, Kay.

21 MR. POCIUS: You're on the ball, Kay.

22 MR. DIBILEO: If there's no further

23 questions, 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 MR. POCIUS: Just one other thing, I

6 want to thank Mrs. Evans for her comments. Also, so

7 nobody thought I got a free ride, I was only served in

8 an appointed position for three months, August,

9 September and October, I did have to run that fall, I

10 did win. I did get beat in the last primary. You

11 know, I have no regrets. And that's it. Next.

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

13 And, Mr. Courtright, any motions or comments?

14 MR. COURTRIGHT: Yes, Mr. President.

15 To Mr. Pocius, if I had to pick one thing that would

16 remind me of you on this council is that you had said

17 it repeatedly, and I know it to be true, that whatever

18 our differences were up here, were left here.

19 And when we walked out that door, we

20 were always cordial, we were always friendly, and I
21 think that's a great trait, you know, because politics
22 can get ugly.

23 So, that's what I'll remember you by,
24 that you left what happened here, and when we walked
25 out that door, we remained civil to each other and
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1 friendly, and I appreciate that, and I hope to take
2 your lead on that and carry that with me for however
3 long I sit on this Council, so I thank you.

4 MR. POCIUS: You got to remember, life
5 is just too short to carry any kind of grudges over
6 something as politics. You know, there's other things
7 in life that are more important.

8 Actually it's a -- I always equate it
9 to a game, whether it be football, baseball, basketball
10 or whatever it is, two teams knock each other's heads
11 off on the field, and you can still go out and have a
12 couple of beers afterwards or whatever you want to do,
13 you know what I'm saying?

14 As long as it never delves into the
15 personal, and that's where you've got to draw the line.
16 I mean, personal is a little harder to forgive and

17 forget, but politics is not anything that should ever
18 come between people. Thanks, Bill, for your thoughts.

19 MR. COURTRIGHT: You're welcome. And

20 when he says personal, one thing was brought to my
21 mind, and I understand that we sit up here by choice,
22 and by choice of the people, and we're fair game, but
23 as Mr. Pocius said, I don't believe anybody's family is
24 fair game, I don't think anybody's family or anybody's
25 job should be brought into it, and I agree with you
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1 wholeheartedly in that, so I thank you for a lot of
2 years of service, an awful lot of years.

3 MR. POCIUS: Too many.

4 MR. COURTRIGHT: Mr. DiBileo, I've

5 known Gary most of my life, but the last four years, an
6 awful lot of time I spent with you.

7 As Mrs. Evans said, he came out in

8 support of us strongly and helped us to get our seats
9 where we sit right now.

10 You know, I've always known Gary to be

11 a good guy, an honest guy, a guy of integrity, but I've

12 gotten to know him so much more in these last four

13 years, and I'd say this last year and a half, I

14 probably spent more time with him and he's probably
15 spent more time with me than we did with our families
16 and our wives, and I've got to know him really well,
17 and he is a good man, he is a man of honor and
18 integrity, and I learned a lot.

19 I asked a lot of questions from him
20 because I was knew here, and he had spent a couple of
21 years here, a couple of hard years, you know, as Mrs.
22 Evans said, some four to one votes, and I sat and
23 thought to myself, that had to be difficult, but he
24 hung in there and he made a decision to run for mayor,
25 were successful, but it's my sincere hope that you will

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1 be back on the political arena as soon as possible,
2 because I think this city and this county, this area,
3 was well served by you.
4 In my opinion, you are one of the best
5 Council Presidents that I had seen, if not the best,
6 and it was my honor and privilege to serve with you,
7 and I most certainly will miss you, but I think we'll
8 still spend a lot of time together probably on issues
9 that come up that I'm not sure about, I'll probably
10 seek your counsel, and I know you will be there.

11 So, the best of luck for everything for
12 you and your family, and I appreciate your last few
13 years. Thank you. That's all I have.
14 MR. DIBILEO: Oh, thank you, Mr.
15 Courtright. I greatly appreciate those kind words.
16 And you're right, you know, we have spent more time
17 probably together than we have our families, especially
18 the last year, but thank you.
19 I want to say that I apologize in
20 advance for this might being a little boring, I made a
21 couple notes for myself. This looks to be like our
22 last meeting of the year, and during the recent
23 election, I made a -- I told my family that after the
24 election, that we could possibly have a little getaway
25 together, because they really sacrificed a real lot
.
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1 during the election, I wasn't home very much at all,
2 and during the last parts of the election, Penn State
3 was having a great year in football, and it looked like
4 they may be heading to a bowl game, so I said that if
5 Penn State goes to a good bowl game, that I would try
6 to find a way to treat them, and we'd go to the bowl
7 game as a family, and so I followed through on my

8 promise and I made the arrangements to attend with the
9 family, the only problem turns out that I realize now
10 that our last meeting, really just to say our
11 good-byes, is set for Monday, January 2, as opposed to
12 Thursday, January 5, which is something that I was
13 assuming, so I was returning from the trip on Thursday,
14 the 5th, but the meeting will occur while I'm no longer
15 -- while I'm not in town, so, therefore, I'm going to
16 just take a couple of minutes and say good-bye tonight,
17 if people would allow me.

18 So, this looks like my last meeting in
19 this seat, and normally we say thank you a few times,
20 so I just want to say I thank my fellow Council members
21 that I'm currently serving with, Bob McTiernan,
22 appreciate it, Janet Evans, John Pocius and
23 Bill Courtright, I highly respect each and every one of
24 you. Although we have had our differences, I think
25 very highly of each and every one of you, and I

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1 appreciate your friendship and serving with you.

2 And I also served while on this Council

3 with some other very distinguished people that I

4 appreciate having had an opportunity to work with, and

5 that was Kevin Murphy, Alex Hazzouri, Tom Gilhooley,
6 Mike McCormick, and Brian Reap, who I'm very close to.

7 And I also want to wish the new Council
8 members coming in all the luck in the world, and that
9 would be Judy Gatelli who's coming in, and also Sherry
10 Fanucci, who's coming in. I think they are going to
11 serve admirably, and I wish them a lot of luck.

12 I also have to thank Kay Garvey and
13 Neil Coolican, who works so hard in the City Council
14 office, and the office is highly undermanned, and I
15 know that they do a great job. They do the work of
16 what many more people used to do in previous years,
17 especially the last two years, since the manpower got
18 cut back.

19 I also want to thank Amil Minora, who
20 we worked together just very briefly, but also Mark
21 Walsh, who recently resigned, who's a dear friend, and
22 Jay Saunders, who worked with me the last close to four
23 years and did a great job.

24 But it's been an honor and a pleasure
25 to have served as a Councilman, and I want to thank

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1 everyone for the privilege of allowing me to serve in

2 this capacity, and I hope I represented you well.

3 Contrary to how The Scranton Times

4 might feel, I hope you might feel differently about my

5 service here on City Council.

6 But I end this term with no regrets.

7 You know, the easier travelled road for me politically

8 could have been to seek re-election to City Council, as

9 opposed to running for mayor, but the easy way is not

10 always the best way.

11 And you know, you stand up for what you

12 believe in and you give it your all, and that's exactly

13 what I did, and I'm glad I did it.

14 I wish to thank those that supported me

15 as Councilman and as candidate for Council and

16 candidate for mayor, I greatly appreciate whatever you

17 may have done to support me in the past.

18 And I've met through these last four

19 years so many wonderful people, and it just goes to

20 prove that, the old saying that, there are no strangers

21 in life, there are only friends that you haven't met

22 yet, and it turned out that I got to meet a lot of new

23 friends, and they were strangers who I hadn't met yet.

24 And I also want to thank Lisa, who's

25 sitting right here in front of me typing away. Lisa, I

1 greatly appreciate everything you've done.
2 I want to thank my family for their
3 sacrifice and their support. I want to thank my
4 Wife Christine and my children, Isabella, and my son
5 Gary, and our twins, Robert and Sophia, they really
6 sacrificed, as I said earlier, quite a bit.
7 I want to thank my mom and dad, Angelo
8 and Jane DiBileo. My dad's actually in the Mercy
9 Hospital, he has an operation planned for tomorrow, I
10 want to wish him luck and tell him that I'm thinking
11 about him.
12 I want to thank my brother Tony and my
13 sister Joyce for all they did and all that everyone has
14 done, and tell them that I love them and I greatly
15 appreciate all they've done for me.
16 But this has all been, you know, quite
17 a great experience and a learning experience. I want
18 to thank everyone for granting me this wonderful
19 opportunity.
20 And to those that think my political
21 career might not be over, you may be right, and I just
22 want to say, Have the merriest of holidays, and the

23 best of the new year, and God bless all of you. Thank
24 you very much. That's all I have, Kay.

25 MR. MCTIERNAN: Mr. DiBileo, before we

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1 move on, I didn't realize you were going to do the swan
2 song speech, and I want to offer my congratulations,
3 respect and best wishes in the future for you. Thanks
4 for your service.

5 MR. DIBILEO: Thank you very much.

6 MR. POCIUS: Same here, Mr. DiBileo. I

7 probably know your wife longer than you, because our
8 backyards kind of touched at one time, and I knew your
9 father-in-law and your mother-in-law and all the kids
10 as they grew up for our association at St. Michael's
11 Church for years, but like I said before, even after
12 the election, I said you took a bold step. Politically
13 we disagreed on certain things, but, you know, I wish
14 you well, I wish you well in your business, I always
15 wish you well with your family, God speed to your
16 father in his operation, and I hope life is good to you
17 in whatever you do. Thank you.

18 MR. DIBILEO: Thank very much,

19 Mr. Pocius.

20 MR. POCIUS: Absolutely.

21 MR. DIBILEO: And as I said before, I

22 respect each and every one of you, and since you're

23 leaving along with me, I want to wish you luck of

24 course in everything that you do, whether it's

25 politically or otherwise, and, you know, you come from

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1 a great family, and as you know, your dad and I were

2 very, very close friends, we had many a lunch together,

3 and, you know, I often think about him now, and I miss

4 him a real lot, and you're a lot like him in many ways.

5 MR. POCIUS: The only thing he couldn't

6 do is he could never get Mark Walsh to pick the check

7 up, that's what he always said. I'm teezing, Mark, if

8 you're out there, because he always teezed Mark about

9 that, you know.

10 But one thing is certain, you might

11 have left the door open, well, I'm nailing it shut with

12 all kinds of 2-by-4s and spikes and locks and dead

13 bolts. You won't see me around anymore in any elected

14 positions anyway.

15 I wouldn't mind sitting on an advisory

16 board sometime in the future somewhere, you know, but

17 I'm busy enough with my job and my grandchildren, but i

18 wish you well with anything do.

19 MR. DIBILEO: Thank you. And likewise

20 to you. And like they say, Never say never.

21 MR. POCIUS: I said never once before

22 and I ended up back here.

23 MR. DIBILEO: You might be back sooner

24 than you think.

25 MR. POCIUS: I did say never, and I

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1 ended up back here, so I don't know, but I think never

2 is never this time, all capital letters, gold embossed,

3 you know, right to the door.

4 MR. DIBILEO: Well, I greatly

5 appreciate that. Thank you.

6 MR. POCIUS: It's just a funny thing,

7 just give me another second of leeway here.

8 MR. DIBILEO: Take your time.

9 MR. POCIUS: It's kind of -- we got

10 enough business to take care of, but this will be it,

11 as you were jotting down council members you sat with,

12 I did it real quick here, and I showed it to Bill, Mike

13 Melnick, the late Vince Manzo, Gene Barrett, Dan Noone,

14 Nancy K. Holmes, Ed Walsh, Brian Reap, Alex Hazzouri,

15 Kevin Murphy, Chris Doherty, Mike McCormick, Gary

16 DiBileo, Bob McTiernan, Bill Courtright, Janet Evans.

17 That's quite a list.

18 MR. DIBILEO: That's a lot of people.

19 MR. POCIUS: That's a lot of time here,

20 so -- anyway, that's it enough. Let's get onto

21 business.

22 MR. DIBILEO: That's great. Thank you

23 very much again.

24 MS. GARVEY: Fifth order, there's no

25 business at this time. Sixth order. 6-A. READING BY

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1 TITLE - FILE OF COUNCIL NO. 165, 2005 - AN ORDINANCE -

2 AMENDING FILE OF COUNCIL NO. 82, 2004, AN ORDINANCE

3 ENTITLED GENERAL CITY OPERATING BUDGET 2005 BY

4 TRANSFERRING \$4,450.00 FROM ACCOUNT NO.

5 01.080.00083.4460 (STREET LIGHTING) TO ACCOUNT NO.

6 01.401.10030.4299 (ZONING BOARD OPERATING EXPENSES) TO

7 PROVIDE FUNDING TO COVER ZONING BOARD EXPENSES THROUGH

8 YEAR END.

9 MR. DIBILEO: You've heard reading by

10 title of Item 6-A, what is your pleasure?

11 MR. POCIUS: Mr. President, I move that

12 6-A pass reading by title.

13 MR. COURTRIGHT: Second.

14 MR. DIBILEO: On the question? All

15 those in favor, signify by saying aye.

16 MS. EVANS: Aye.

17 MR. MCTIERNAN: Aye

18 MR. POCIUS: Aye.

19 MR. COURTRIGHT: Aye.

20 MR. DIBILEO: Aye. Opposed? The ayes

21 have it and so moved.

22 MS. GARVEY: 6-B - READING BY TITLE -

23 FILE OF COUNCIL NO. 166, 2005 - AN ORDINANCE -

24 AMENDING FILE OF COUNCIL NO. 135, 2005, AN ORDINANCE

25 ENTITLED SALE OF TAX DELINQUENT PROPERTY AT 659 WALES

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1 STREET NEAR LEGGETT'S CREEK, SCRANTON, PENNSYLVANIA, TO

2 PENNSYLVANIA AMERICAN WATER COMPANY (PAWC), 100 NORTH

3 PENNSYLVANIA AVENUE, WILKES-BARRE, PENNSYLVANIA, 18701,

4 FOR THE SUM OF \$4,000.00 IN ORDER TO REFLECT THE

5 CORRECT ADDRESS WHICH IS 600 BLOCK OF WALES STREET BY

6 LEGGETT'S CREEK.

7 MR. DIBILEO: You've heard reading by

8 title of Item 6-B, what is your pleasure?

9 MR. POCIUS: I move that 6-B pass

10 reading by title.

11 MR. COURTRIGHT: Second.

12 MR. DIBILEO: On the question?

13 MS. EVANS: Kay, no communication with

14 Mr. Palmiere?

15 MS. GARVEY: No, he hasn't called.

16 MS. EVANS: Thank you.

17 MR. DIBILEO: If there's no further

18 questions, 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: 6-C, READING BY TITLE -

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65

1 FILE OF COUNCIL NO. 167, 2005 - AN ORDINANCE -

2 ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A FIVE

3 MILLION DOLLARS (\$5,000,000.00) PRINCIPAL AMOUNT, TAX

4 AND REVENUE ANTICIPATION NOTE OF THE CITY OF SCRANTON

5 KNOWN AS TAN SERIES A, AWARDED TO COMMUNITY BANK &
6 TRUST COMPANY; DETERMINING THE FORM AND TERM OF SAID
7 NOTE; AWARDING SAID NOTE; AUTHORIZING AND DIRECTING THE
8 FILING OF CERTAIN DOCUMENTS; AND DIRECTING THE PROPER
9 OFFICIALS OF THE CITY OF SCRANTON TO TAKE ANY AND ALL
10 OTHER ACTIONS AS MAY BE REQUIRED IN CONNECTION WITH THE
11 ISSUANCE OF SAID NOTE.

12 MR. DIBILEO: You've heard reading by
13 title of Item 6-C, what is your pleasure?

14 MR. POCIUS: Mr. President, I move that
15 6-C pass reading by title.

16 MR. COURTRIGHT: Second.

17 MR. DIBILEO: On the question? All
18 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: 6-D, READING BY TITLE -

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66

1 FILE OF COUNCIL NO. 168, 2005 - ORDINANCE - AUTHORIZING

2 THE ISSUANCE AND SALE OF A NINE AND ONE HALF MILLION
3 (\$9,500,000.00) DOLLARS PRINCIPAL AMOUNT, TAX AND
4 REVENUE ANTICIPATION NOTE OF THE CITY OF SCRANTON KNOWN
5 AS TAN SERIES B, AWARDED TO COMMUNITY BANK & TRUST
6 COMPANY; DETERMINING THE FORM AND TERM OF SAID NOTE;
7 AWARDING SAID NOTE; AUTHORIZING AND DIRECTING THE
8 FILING OF CERTAIN DOCUMENTS; AND DIRECTING THE PROPER
9 OFFICIALS OF THE CITY OF SCRANTON TO TAKE ANY AND ALL
10 OTHER ACTIONS AS MAY BE REQUIRED IN CONNECTION WITH THE
11 ISSUANCE OF SAID NOTE.

12 MR. DIBILEO: You've heard reading by
13 title of Item 6-D, what is your pleasure?

14 MR. POCIUS: Mr. President, I move 6-D
15 pass reading by title.

16 MR. COURTRIGHT: Second.

17 MR. DIBILEO: On the question?

18 MS. EVANS: Just for the information of
19 the public, TANS series A has seen a \$1 million
20 increase over last year, and TANS series B sees a \$4.5
21 million increase over last year's series B. I will not
22 be voting in the affirmative.

23 MR. DIBILEO: On the question, I have
24 had a couple of meetings with Leonard Kresefski, our
25 business administrator, and this is something that he

1 and I have discussed. This additional borrowing is,
2 according to him, a short-term one year loan which will
3 be literally at no cost to the city, according to him.
4 He has told me that because interest
5 rates are very favorable, that it can be the extra
6 \$5.5 million, which is being borrowed for 2006 over
7 2005, will actually earn one percent more in interest
8 than the cost to borrow, according to Mr. Kresefski.
9 Now, that money can be used, according
10 to him, to pay expenses, but of course has to be paid
11 by back by the end of 2005.
12 And from what he told me, even if that
13 money is not needed to pay bills, which it may be, that
14 he feels the money would be taken, and even if not used
15 to pay bills, paid back at the end of the year earning
16 the additional approximate one percent in interest.
17 MS. EVANS: It seems, if I might add,
18 that this would be Plan B to the \$12 million loan vis a
19 vis Plan A, and I'm certainly not opposed to excess
20 money earning interest, but if one would follow that
21 line of logic, then why not borrow ten times that
22 amount and make ten times that amount?

23 So, I think more than anything else,
24 we're looking to -- well, the administration is looking
25 to cover itself, and my fear is with any excess, the
68

1 excess could very well be spent.

2 MR. POCIUS: On the question, it's not
3 Plan B, because with a TAN, it's a wash. You take \$5
4 million in, you pay \$5 million back by the end of the
5 year.

6 Sure, you can use it to pay for
7 expenses, but you expect to cover the TAN when your
8 revenues and your taxes come in.

9 Not to mix and match, but we will
10 discuss the borrowing, I'm sure, in some detail later
11 on, but the borrowing is in addition to the TANS. It
12 comes in, it can be spent, but it does not have to be
13 paid back immediately.

14 So, that's the difference right there.

15 It's not -- the TAN does not cover the borrowing in any
16 way, shape or form. The TAN could be used for expenses
17 until the tax revenues come in, but they have to be
18 paid back, so it's like a wash. It's like borrowing a
19 dollar, and you have to give it back at the end of the

20 day, you still owe the dollar.

21 MS. EVANS: Mr. Pocius is correct in

22 that this --

23 MR. POCIUS: Yep.

24 MS. EVAN: -- any tax anticipation note

25 must be paid back in the same year that it is borrowed,

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1 however, I do believe that even the business

2 administrator explained the use of these two coinciding

3 avenues in the event that one should fail, the city

4 would have the other to fall back on.

5 MR. POCIUS: But that still wouldn't

6 necessitate another borrowing, because the TAN has to

7 be paid back. If the TAN was used for something and

8 there was not enough -- well, we know there's not

9 enough revenue is coming to come in next year, except

10 by another borrowing to cover these additional

11 expenses, then it's not replacing something, it's in

12 addition to.

13 MS. EVANS: Well, what my honorable

14 colleague says may very well be true --

15 MR. POCIUS: It is true.

16 MS. EVANS: -- but none of this would

17 be necessary if we had control of our spending and our
18 borrowing, as well. I think we need a lesson in cost
19 containment, rather than lessons in how to borrow more
20 money and pay it back in a year.

21 MR. POCIUS: Well, I could go back --

22 just one more thing, and I'm going to quit after this,
23 because this could go on for ever, and I don't want it
24 to, but we're in a position now where we can get two
25 series of TANS.

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70

1 The Honorable Attorney Minora was here
2 when we would have to go out and beg the banks,
3 remember, in the early nineties, remember, Amil --

4 MR. MINORA: Yeah, I do.

5 MR. POCIUS: -- to put a consortium of
6 banks together where they would even entertain looking
7 at TANS, because our financial situation was pretty bad
8 at the time, much worse than it is now.

9 Now we receive not only one TAN, we
10 were -- and the amounts we were looking for, we were
11 getting maybe a million and a half, maybe \$2 million,
12 maybe even less, so we have strengthen our financial
13 position that the lending institutions are willing to

14 lend us even \$14 and a half million on a short-term
15 basis, which is -- which I think is something that
16 should be admirable for a city.

17 So, that's it. I'm not going to delve
18 on it, because I'm sure we will be discussing other
19 things here later on.

20 MS. EVANS: Well, I agree in theory
21 that sounds very admirable, but I think if I asked any
22 resident of Scranton, would you prefer to be \$28
23 million in debt or over \$200 million in debt, I wonder
24 what their answer would be.

25 MR. POCIUS: I wonder what it would be,

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1 too, Mrs. Evans, because I really don't know that
2 answer. I mean, I don't want to get into politics or
3 anything like that, but, I mean, I lost an election so
4 I can say the people spoke in the primary and certain
5 people won lost in the fall, and I think that sent a
6 message, and, you know, Mr. DiBileo has handled it very
7 well, and I think we just got to push it aside and just
8 move on, that's my feeling.

9 MS. EVANS: Well, this isn't anything
10 personal, John. As you said --

11 MR. POCIUS: I didn't say it's
12 personal, it's politics, but the bottom line is you sat
13 here for two years, and I didn't see you come up with
14 one new revenue source for the city, you haven't even
15 worked on this budget, except to say no to everything,
16 so the bottom line as the finance chairman, maybe
17 failed miserably in your job.

18 MS. EVANS: Well, Mr. Pocius, what I
19 can say is this, a year ago I spent an overwhelming
20 amount of time crafting a budget that cut \$4 million in
21 expenses, which you might have --

22 MR. POCIUS: You might say crafting,
23 that was carving with a hatchet, is what it was.

24 MS. EVANS: Well, that was cutting the
25 fat that has been amassed over these four years, well,
.

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1 at that time, three, but --

2 MR. POCIUS: Cutting the police car
3 money, cutting the money that was to be used in the
4 fire department for various things when the small
5 capital budget was hacked, praising that EMS Tax, when
6 it wasn't even in existence at the time when the
7 mayor's budget was put together, that was not even law,

8 so how would one anticipate that was going to become
9 law?

10 MS. EVANS: I don't know, but so many
11 other municipalities jumped on it at the time, that it
12 seemed we were the only one who failed to do so, but
13 that's water under the bridge. That's another \$1.5
14 million lost. I think I was looking at job creations,
15 job --

16 MR. POCIUS: You've done a great job.

17 MS. EVANS: -- raise s, consultants,
18 attorneys fees, etc.

19 MR. POCIUS: What consultants are paid
20 out of the budget?

21 MS. EVANS: John --

22 MR. POCIUS: Tell me, what consultants
23 are paid out of the budget, I'm asking you a budget
24 question right now. What consultants are paid out of
25 the budget?

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73

1 MS. EVANS: Professional services.

2 MR. POCIUS: Which ones?

3 MS. EVANS: Those are the wonderful

4 services which we hire without ever putting them out to

5 bid, thereby cheating the people.

6 MR. POCIUS: Which ones? Cheating?

7 MS. EVANS: Well, Ceco is one.

8 MR. POCIUS: Oh, now we're going to get

9 personal. We are not paid out of the capital -- we are

10 not paid out of the --

11 MS. EVANS: No. But, John, remember,

12 this is the playing field, it's your last game, so

13 play.

14 MR. POCIUS: I'm going to tell you,

15 Mrs. Evans, you are totally wrong. We are not paid out

16 of -- we are not paid -- any or our contracts have not

17 been paid out of the general operating budget.

18 MS. EVANS: Who's paid for them?

19 MR. DIBILEO: May I ask if we could --

20 MR. POCIUS: Let's move on, Gary. I'd

21 love to move on.

22 MR. DIBILEO: -- try to move onto the

23 vote?

24 MR. POCIUS: But you know what, I'm not

25 going to give the last word every week here.

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74

1 MR. DIBILEO: And just let me say this,

2 that regarding your comment about how I'm approaching
3 this legislation, I think I know what you're referring
4 to, but I want to say that politics has nothing to do
5 with --

6 MR. POCIUS: I didn't infer to you,
7 Gary, I did not.

8 MR. DIBILEO: I understand. But my
9 vote on this legislation has nothing to do with the
10 election.

11 MR. POCIUS: I believe that absolutely.

12 MR. DIBILEO: Okay.

13 MR. POCIUS: I think we just have to
14 vote on this.

15 MR. DIBILEO: Now, we're on 6-D. And
16 if there's no further questions, I'd like to say that
17 all those in favor, please 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: By a 4-1 vote, the ayes
24 have it so moved.

25 MS. GARVEY: 6-E, READING BY TITLE -

1 FILE OF COUNCIL NO. 169, 2005 - AN ORDINANCE -
2 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY
3 OFFICIALS TO ACCEPT, RECEIVE AND RECORD A GIFT OF REAL
4 ESTATE FROM THE UNIVERSITY OF SCRANTON CONSISTING OF
5 PARTIAL PARCEL AT THE INTERSECTION OF MULBERRY STREET
6 AND JEFFERSON AVENUE TO ENLARGE TO TURNING RADIUS FOR
7 VEHICLES TURNING RIGHT FROM MULBERRY TO JEFFERSON.

8 MR. DIBILEO: You've heard reading by
9 title of Item 6-E, what is your pleasure?

10 MR. POCIUS: Mr. President, I move that
11 6-E pass reading by title.

12 MR. COURTRIGHT: Second.

13 MR. DIBILEO: On the question?

14 MR. POCIUS: Just on the question,
15 Amil, I don't think this needs to be amended by any
16 way, because that was -- I think that was just a hodge
17 podge where a word processor got a little crazy
18 printing out that description, because the intent of
19 the ordinance is very clear, and it did have a
20 description that it was all of Lot 2, I think it just
21 got mixed up with something else, and I don't think we
22 have to amend it, because I think the intent was there.

23 MR. MINORA: You have to have the

24 proper description.

25 MR. POCIUS: Yes, but I don't think we

.

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1 have to amend the ordinance, do you?

2 MR. MINORA: No, because the ordinance

3 talks about the turning lane, and the description is

4 there.

5 MR. POCIUS: Correct. Okay. I just

6 want to do it right, because it's going to greatly help

7 that project when these downtown signals get going,

8 because that's a big bottleneck, that intersection.

9 MR. DIBILEO: Okay. We have a motion

10 on the floor and a second. If there's no further

11 questions, all those in favor of 6-E, signify by saying

12 aye.

13 MS. EVANS: Aye.

14 MR. MCTIERNAN: Aye

15 MR. POCIUS: Aye.

16 MR. COURTRIGHT: Aye.

17 MR. DIBILEO: Aye. Opposed? The ayes

18 have it and so moved.

19 MS. GARVEY: 6-F, READING BY TITLE -

20 FILE OF COUNCIL NO. 170, 2005 - AN ORDINANCE - VACATING
21 ANY AND ALL RIGHT, TITLE AND INTEREST
22 OF THE CITY OF SCRANTON IN THE RIGHT-OF-WAY OF A
23 PORTION OF WRIGHT COURT IN THE CITY OF SCRANTON, AS
24 MORE PARTICULARLY DESCRIBED ON THE MAP ATTACHED HERETO.

25 MR. DIBILEO: You've heard reading by

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1 title of Item 6-F, what is your pleasure?

2 MR. POCIUS: Mr. President, I move that

3 6-F pass reading by title.

4 MR. COURTRIGHT: Second.

5 MR. DIBILEO: On the question?

6 MR. POCIUS: Just on the question, I

7 was -- even I was a little befuddled because the map

8 was a little bit blurry, blurry but Mr. Dudek was

9 pretty close. This is actually -- Wright Court will

10 stay in place behind the credit union.

11 This is actually -- I think at one time

12 it was old Lewis and Reef Electrical Supply Outlet, and

13 they have development plans, I'm going to say it looks

14 like something there for a daycare center or something,

15 because I can read on the map very small play areas and

16 things like that, it may be a daycare center, so this

17 portion of the court is needed for their development.

18 It will not infringe on the credit union or any

19 adjoiningers farther towards Linden Street, so I think

20 it's fine.

21 MR. DIBILEO: Thank you. And just for

22 informational purposes, this is the court that is

23 behind the Penn East Credit Union off of Linden Street.

24 MR. POCIUS: Correct. But it's only

25 going to be vacated behind what appears is the boundary

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1 lines of the old -- I'm going to say Lewis and Reef

2 before they moved up to Wyoming Avenue.

3 MR. DIBILEO: Which would be the end of

4 the allay.

5 MR. POCIUS: Pretty much, because it

6 T's into Snell Court right there, so it's not going to

7 affect anybody.

8 MR. DIBILEO: Okay. If there's not

9 further questions, all those in favor, signify by

10 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: 6-G, READING BY TITLE -

18 FILE OF COUNCIL NO. 171, 2005 - AN ORDINANCE -

19 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

20 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY

21 OFFICIALS TO EXECUTE AND DELIVER A DEED OR DEEDS OF

22 EASEMENT TO THE COMMONWEALTH OF PENNSYLVANIA,

23 DEPARTMENT OF GENERAL SERVICES, CONVEYING PERMANENT AND

24 TEMPORARY EASEMENTS UPON PROPERTY ON PENN AVENUE, GREEN

25 RIDGE STREET, CAPOUSE AVENUE, MONSEY AVENUE, MARION

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1 STREET, SANDERSON AVENUE AND GLENN STREET, LEGAL

2 DESCRIPTIONS OF WHICH ARE ATTACHED AS EXHIBIT A AND

3 MAPS OF WHICH ARE ATTACHED AS EXHIBIT B, IN FURTHERANCE

4 OF A FLOOD CONTROL PROJECT TO CONTROL FLOODING ALONG

5 CERTAIN STREAMS WITHIN THE CITY

6 MR. DIBILEO: You've heard reading by

7 title of Item 6-G, what is your pleasure?

8 MR. POCIUS: Mr. President, I move 6-G

9 pass reading by title.

10 MR. COURTRIGHT: Second.

11 MR. DIBILEO: On the question?

12 MR. POCIUS: Just on the question, I

13 think this is one of the final steps -- I know it's one

14 of the final steps in conveying the rights of way to

15 the DGS. This is for the long awaited Meadow Brook

16 project in Green Ridge. Probably I heard that it

17 should be out for bids next year.

18 MR. DIBILEO: Okay. We certainly know

19 that that's a project --

20 MR. POCIUS: This has been around a

21 long time. This started back when I was on Council, I

22 think back with Mike and Vince and those people, so

23 this has been a long time coming, so it should be a

24 great improvement to the Green Ridge Section of the

25 city.

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80

1 MR. DIBILEO: If there's no further

2 questions on 6-G, all those in favor, signify by saying

3 aye.

4 MS. EVANS: Aye.

5 MR. MCTIERNAN: Aye

6 MR. POCIUS: Aye.

7 MR. COURTRIGHT: Aye.

8 MR. DIBILEO: Aye. Opposed? The ayes

9 have it and so moved.

10 MR. POCIUS: Mr. President, at this

11 time I'd like to make a motion that Scranton City

12 Council suspend their rules allowing 6-A, 6-B, 6-C,

13 6-D, 6-E, 6-F and 6-G to be placed into seventh order

14 for further consideration this evening.

15 MR. COURTRIGHT: Second.

16 MR. DIBILEO: Okay. We have a motion

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

18 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: 7-A, FOR CONSIDERATION BY

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1 THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

2 COUNCIL NO. 162, 2005 --

3 MR. POCIUS: Kay, I think we should do

4 this right, I mean, just so we do this right so we

5 don't have to read it twice, if anyone had any
6 amendments to the budget, they could bring them forward
7 at this time prior to reading it, and then we can pass
8 it as amended or we wouldn't have to read it, start all
9 over again, back, back and forth.

10 MR. DIBILEO: Does anyone, prior to
11 reading 7-A, have any amendments to the budget?

12 MR. COURTRIGHT: I believe if we're not
13 -- I think -- if we're still in agreement, scenario one
14 that was presented to us, I don't know if that's still
15 the case.

16 MR. DIBILEO: Do we have a second?

17 Mr. Minora, am I able to second a motion?

18 MR. MINORA: I believe so.

19 MR. DIBILEO: Okay. I'll second the
20 motion. And on the question? Just on the question, if
21 I could speak here at this time, this amendment, as all
22 Council members are aware, is something that we talked
23 about last week regarding the budget.

24 The original budget or the budget
25 that's in front of us includes the creation of several

82

1 new jobs, and it also includes raises for several

2 positions.

3 At least last week it was the feeling

4 of pretty much the consensus of Council, I'll say that

5 considering the fact that the city is borrowing --

6 possibly looking at borrowing the amount of money that

7 it is, that we'll be voting on right after this vote,

8 that it is not the preferred method to proceed by for

9 the creation of new jobs and raises being included in

10 the budget, so we came to agreement last week that

11 could change this week involving elimination of all but

12 one new job, and I think it takes away all of the

13 raises that were in the budget, too.

14 One raise that's in the budget I'm

15 personally not considering a raise, I'm considering it

16 still yet a reduction in salary -- two years ago the

17 City Council Solicitor's position was reduced from

18 \$40,000, where it had been for some time, and it was

19 reduced down to \$22,000.

20 It was talked about last week that that

21 position would be increased up to \$30,000, and that is

22 in this amendment. Again, that is still \$10,000 less

23 than it was two years ago, so that's part of this

24 amendment.

25 But, again, that's what this amendment

1 is referring to, and we have a motion on the floor and
2 a second. I'm talking on the question.

3 MR. COURTRIGHT: On the question, we
4 were given three scenarios to prepare for this, I
5 believe, by Leonard Kresefski, did a lot of work on it,
6 and we appreciate that, and scenario one, which I make
7 the motion that we accept does have some new positions
8 and some raises, but they were strictly funded by OECD
9 and the flood project, so that everybody knows that.

10 And for me on a personal note, I don't
11 know if I didn't understand quite the deal that was
12 being made or if I was naive or what, but I did not
13 connect, I did not connect what we would do with the
14 budget to the \$12 million loan that's being proposed.

15 And I got to be honest, I've spoke to
16 Mayor Doherty more in one day now than I have in two
17 years, and if I misled him in any way, shape or form
18 that if in fact this was put forward and that would
19 guarantee my vote for the \$12 million, I apologize,
20 because that was not my intent.

21 I know in the back in the caucus we
22 were discussing it, and there were some members that

23 believed that was the intent, I would not intentionally

24 mislead Mr. Doherty or anyone here, for that matter.

25 So, if I did, I apologize in advance.

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1 I did not connect it to -- I thought we were all

2 willing to remove these newly created positions and

3 these raises because of the fact that, you know, we do

4 have financial problems in this city, it's no secret,

5 and how could we give raises to some and not others,

6 and how could we create new positions when we just

7 simply don't have the money to do so?

8 And that was my understanding. And I

9 don't know if I was -- maybe I was being naive. I had

10 separated the two. So, I just, for the record, want to

11 make it known that I did not join them together, and if

12 I mislead anybody, I'll apologize in advance. And

13 that's all I have, Mr. President.

14 MR. DIBILEO: Anyone else on the

15 question?

16 MR. POCIUS: When we did discuss this

17 last week, I did say I could support this, and

18 basically I'll continue to support this amendment,

19 because I'm a man of my word, I'm not going to back

20 down on this here.

21 I said in caucus when we were

22 discussing personnel and budget issues and stuff in

23 front of the press and some outside the press and we

24 had names and everything else, I said that the incoming

25 Council should have a right to have their budget, too,

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1 whatever changes they would like, and I'll support this

2 amendment, however, I think that somehow this has to be

3 read into the record. I don't think we can just say

4 scenario one, I think it has to be read somehow into

5 the record court exactly what we're changing.

6 MR. COURTRIGHT: In its entirety? Do I

7 need to read it in its entirety? I will, if need be.

8 MR. POCIUS: I think in the past we --

9 I mean, I don't know how you should do it.

10 MR. MINORA: You can make it an

11 exhibit.

12 MR. POCIUS: Whatever you want. If you

13 think it's easier that way, fine. I mean, I'll go with

14 whatever you say. Amil, you've been around a long

15 time.

16 MR. MINORA: You can make it an exhibit

17 of it.

18 MR. POCIUS: Okay.

19 MR. COURTRIGHT: Should I say

20 Exhibit Scenario One, I make a motion that we --

21 MR. POCIUS: Why don't you summarize,

22 Bill, what's happening, at least give them a summary of

23 what's happening here, you know, what's staying and

24 what's going so the public knows what we're voting on.

25 MR. COURTRIGHT: I can run down it

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1 briefly. I believe all of the raises were taken out

2 and put back to where they were. We took out all the

3 new positions, with the exception of one. And I

4 believe basically that's it in a nutshell.

5 My conversation with Leonard Kresefski,

6 I believe it was very, very early this morning was that

7 we would like to see everything go back to the way it

8 was in last year's budget as far as jobs and raises

9 went, and that's basically what they did, with the

10 exception of this one new position, and with the

11 exception of the ones that I said were being paid for

12 by the flood bond and by OECD.

13 Should I make the motion that we accept

14 this, Mr. Minora, as Exhibit 1, Scenario One, as
15 presented to us by the city, is that how I should do
16 it?

17 MR. MINORA: You can make it as
18 Scenario One and/or Exhibit 1.

19 MR. COURTRIGHT: Okay. I'll make a
20 motion at this time that we accept the amendments to
21 the 2006 operating budget noted as Scenario One or
22 Exhibit 1.

23 MR. DIBILEO: Second. We have a motion
24 on the floor to include Exhibit 1 or Scenario One into
25 the budget. On the question?

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87

1 MS. EVANS: Yes. Just two things,
2 first of all, though, I think you already had a motion
3 on the floor which was seconded, so I think before you
4 made this motion, you should have withdrawn your first
5 motion and you withdraw your second and then you make
6 your new motion.

7 MR. POCIUS: You're correct, Mrs.
8 Evans, because they actually expanded on the motion and
9 added to it.

10 MR. DIBILEO: Attorney Minora, should

11 that be the case then?

12 MR. MINORA: Yes.

13 MR. COURTRIGHT: Okay. I will withdraw

14 my first motion as Scenario One.

15 MR. DIBILEO: And I'll withdraw my

16 second.

17 MR. COURTRIGHT: And do I need to

18 restate my motion now, my new motion?

19 MR. MINORA: I believe you should.

20 MR. COURTRIGHT: Okay. I'll restate

21 it. Okay. I make a motion that we amend the 2006

22 operating budget to accept the changes in Scenario One

23 or Exhibit 1.

24 MR. DIBILEO: Second. On the question?

25 MS. EVANS: Though I find these efforts

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1 by my honorable colleagues to be very admirable and

2 beneficial, they're but a raindrop in a deluge of the

3 big financial picture.

4 Earlier Mr. Pocius alluded to the fact

5 that I could very well be a failure as a finance chair

6 because I did not draft a budget, I had every intention

7 of drafting another budget, but my four colleagues had

8 indicated that they had no such intention, and so for
9 me to single handedly do so would have been nothing
10 more than an exercise in futility.

11 And as I said, though these efforts are
12 very good, in that these positions have been returned
13 to their current salaries, many of these positions were
14 awarded hefty raises last year and in the prior year,
15 and it is a step in the right direction, but we need
16 much more than a baby step in the right direction when
17 we're at a financial crossroad right now.

18 MR. COURTRIGHT: One last thing, if I
19 may, Mr. President, I guess I neglected, I think there
20 were positions for clerical positions removed that are
21 being put back in, if I'm not mistaken, I'm correct, am
22 I not, are they in this? Yeah, they are. And I
23 believe everybody on this Council was in favor of that,
24 having those four positions returned. Am I correct
25 that they're in there?

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1 MR. MCTIERNAN: I'm trying to find
2 them.

3 MR. COURTRIGHT: I'm trying to find
4 them.

5 MR. COURTRIGHT: Because I'm not seeing

6 them.

7 MR. MCTIERNAN: Yeah, they're in there.

8 If you look at midway up from the bottom you have

9 removed, removed, removed, and the two removed up at

10 the top.

11 MR. COURTRIGHT: All right. Thank you,

12 Mr. McTiernan. So, I think that was important to note

13 that the administration did put those back in. Thank

14 you.

15 MR. POCIUS: One the reasons, too, is

16 also there was a correction made that I will definitely

17 think has to be in this budget is to increase the fire

18 overtime from \$375 to \$500,000, as per the contract,

19 and that was a budget oversight based on current

20 figures and how they were running.

21 MR. MCTIERNAN: There was also removal,

22 I believe in DPW of an overstated job --

23 MR. POCIUS: Correct.

24 MR. MCTIERNAN: -- due to movements,

25 and that was removed, but it's not in that loss of a

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1 job to the DPW.

2 MR. POCIUS: Correct.

3 MR. MCTIERNAN: It's just a realignment

4 so the job figures stay the same as the previous year.

5 MR. DIBILEO: And just once again, when

6 money is being borrowed to pay the city bills, new jobs

7 and raises are really not a recommended course of

8 action.

9 And should we, Mr. Minora, allow for

10 copies of this scenario to be offered to the public in

11 any way?

12 MR. MINORA: Sure.

13 MR. DIBILEO: Is someone interested in

14 getting a copy? Okay. Kay, if you can, or Neil, if we

15 can have a few copies made and made available to the

16 public this evening, I think that that would be

17 appropriate.

18 Okay. We have a motion on the floor,

19 we have a second. If there's no further questions, all

20 those in favor, signify by saying aye.

21 MR. MCTIERNAN: Aye

22 MR. POCIUS: Aye.

23 MR. COURTRIGHT: Aye.

24 MR. DIBILEO: Aye. Opposed?

25 MS. EVANS: No.

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1 MR. DIBILEO: By a 4-1 vote, the motion

2 passes.

3 MR. POCIUS: Now you just read it, Kay,

4 as amended.

5 MS. GARVEY: 7-A, FOR CONSIDERATION BY

6 THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

7 COUNCIL NO. 162, 2005 - AS AMENDED - AN ORDINANCE -

8 APPROPRIATING FUNDS FOR THE EXPENSES OF THE CITY

9 GOVERNMENT FOR THE PERIOD COMMENCING ON THE FIRST DAY

10 OF JANUARY, 2006 TO AND INCLUDING DECEMBER 31, 2006 BY

11 THE ADOPTION OF THE GENERAL CITY OPERATING BUDGET FOR

12 THE YEAR 2006.

13 MR. DIBILEO: Okay. What is the

14 recommendation of the chairperson for the committee on

15 finance?

16 MS. EVANS: As chair for the committee

17 on finance, I recommend final passage of Item 7-A.

18 MR. POCIUS: Seconded.

19 MR. DIBILEO: Okay. And that would be

20 as amended?

21 MS. EVANS: As amended.

22 MR. DIBILEO: Okay. We have a motion

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

24 MS. EVANS: Yes. My comments are

25 directed to my colleagues. It's my position with all

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1 they heard from the many taxpayers who appeared at the

2 podium, and even from the representatives of PEL who

3 had serious reservations about the increased debt the

4 2006 budget will create, they should come to the

5 collusion that the budget will only bring more harm to

6 the city and to the people.

7 We, as members of City Council, can't

8 go on record to support this budget. I suggest that my

9 honorable colleagues must put politics aside and vote

10 for the people's good this one time.

11 The vote we're about to take and its

12 impact on the people leaves no room for politics. City

13 Council is the last place where elected persons can

14 stop our headlong slide into financial destruction.

15 If my honorable colleagues believe

16 there's nothing wrong with the long-term debt the mayor

17 created and now proposes to increase with this 2006

18 budget, or that this proposed budget is good for

19 Scranton and the people, then with all due respect,

20 permit me to suggest that my honorable colleagues are
21 just walking further down the Yellow Brick Road, but
22 this time wearing blinders.

23 They failed to see the inevitable,
24 which are tax increases or a refinancing of debt which
25 will cause even greater and longer debt payments.

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1 Sound financial sense, concern for
2 Scranton, surely concern for the people of Scranton,
3 and the real concern for our future and our children's
4 future require that the 2006 budget be rejected.

5 MR. DIBILEO: Okay. Are there any
6 other questions?

7 MR. POCIUS: On the question, this is
8 one of the few times I may take your advice,
9 Mrs. Evans, because if we vote this budget down, then
10 the mayor's budget becomes law. So, what have we
11 done? Council -- the home rule charter says if Council
12 doesn't amend and enact its own budget, they the
13 mayor's budget becomes law, so I would assume, I'm not
14 going to assume, I know that if this budget as amended
15 is voted down, then we have the original budget as law,
16 which does not have the positions back, which does not

17 eliminate the raises, and which does not eliminate all
18 the new jobs, so maybe we should do that to see what
19 that does.

20 If you knew your Home Rule Charter like
21 you think you do, maybe you wouldn't have suggested
22 that so much.

23 MS. EVANS: Well --

24 MR. POCIUS: Well, what?

25 MS. EVANS: -- I've only received the

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1 response I expected, because you, sir, are a
2 spendthrift.

3 MR. POCIUS: Oh, thank you. A

4 spendthrift?

5 MS. EVANS: Merry Christmas, you're
6 welcome.

7 MR. POCIUS: Follow my record,
8 Mrs. Evans, it's there in black and white, I never hid
9 from it, and at least I never was not afraid to stick
10 my head out a lot of time on decisions that were
11 somewhat unpopular with certain people, but you know
12 what, it kept this city going for a long time.

13 MS. EVANS: One of those decisions was

14 declaring this a distressed city, and it's over
15 13 years later, and here we still are with no end in
16 sight. I would have to question an awful lot of
17 decisions you have made.

18 MR. POCIUS: I think there's an end in
19 sight, Mrs. Evans, if people would just have the
20 foresight to look ahead and not constantly look back
21 and pick on the past, because hindsight is 20/20, our
22 vision into the future is somewhat clouded at times,
23 and history will write the tale of everyone up here as
24 to what we have accomplished.

25 MS. EVANS: And we are all, after all,

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1 students of history, because history repeats itself,
2 and we should learn from our past.

3 MR. POCIUS: Well, Mrs. Evans, whatever
4 you say has got to be right because you said it, that's
5 the way it is.

6 MR. DIBILEO: If I could --

7 MR. POCIUS: That's okay, Gary. You
8 know, I said, I'm not going to give up the last word
9 tonight.

10 MR. DIBILEO: If I could suggest that

11 we -- if there's no further questions, that we ask for

12 a roll call, please, Kay. Neil, I'm sorry.

13 MR. COOLICAN: Mr. McTiernan.

14 MR. McTIERNAN: Yes.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: No.

17 MR. COOLICAN: Mr. Pocius.

18 MR. POCIUS: Yes.

19 MR. COOLICAN: Mr. Courtright.

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mr. DiBileo.

22 MR. DIBILEO: Yes. By a 4-1 vote, I

23 hereby declare Item 7-A legally and lawfully adopted.

24 Prior to reading 7-B, Kay, I'd like to

25 make a motion, and prior to making that motion, I'd

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1 like to respond to my feelings regarding this motion

2 involving 7-B, and we're talking about the borrowing of

3 \$12 million, and I have given a lot of thought to this

4 piece of legislation, and I made some notes for myself,

5 and what I'll do is refer to the notes as I describe my

6 feelings about this borrowing.

7 \$12 million is obviously a substantial

8 amount of money. Borrowing money is not a preferred
9 way to pay bills or balance a budget. The city's
10 expenses substantially exceed its revenues.
11 A tax increase is also not a preferred
12 way to balance a budget. One big reason our expenses
13 exceed revenues is because of the astronomical increase
14 in health care costs, in health insurance costs.
15 When the recovery plan was adopted by a
16 70 percent to 30 percent overwhelming vote, health care
17 cost was capped at \$7.1 million.
18 For 2006, the 2006 budget, health care
19 is estimated to cost the city \$11.5 million. That's an
20 increase of about four and a half million dollars
21 annually.
22 Now, of course, the arbitration process
23 has held up the implementing of the recovery plan which
24 would have capped the health care cost.
25 Let me also say that I do not believe

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1 that when the arbitrator does make a ruling, that he's
2 going to go back in time to the \$7.1 million figure to
3 cap health care.
4 He may, he or she may, but I'm assuming

5 if there's going to be a cap, it's going to be at the
6 current figure so that employees don't have to go back
7 in time and repay money of their own health care that
8 has been paid so far by the city, but on the same
9 token, in desperate financial times, cities have to
10 sacrifice and look for ways to cut costs, and in my
11 opinion, that has not occurred.

12 We being asked to support the borrowing
13 of \$12 million. For health care costs reasons, I
14 acknowledge some borrowing is warranted, because the
15 alternative is a tax increase.

16 I'd be naive to think that a tax
17 increase is not a legitimate reason to consider some
18 borrowing, but since appropriate tough decisions to cut
19 costs have not been taken, I can't help to wave a magic
20 wand and make the entire deficit disappear. We can't
21 spend recklessly and not have a price to pay.

22 The excess tax anticipation borrowing
23 can be used for the short-term to cover costs, but
24 long-term, the city needs to contain health care cost
25 and cut back on expenses.

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1 For that reason I make, a motion to

2 amount the \$12 million figure in 7-B to \$4.75 million
3 to cover the approximate difference between the health
4 care cap in the recovery plan and the current uncapped
5 cost of health care, and I make that in the form of a
6 motion.

7 MR. COURTRIGHT: I'll second it.

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

10 MR. POCIUS: I would ask on the
11 question, Mr. DiBileo, that I think the \$4. -- I would
12 be in affirmative to vote for the \$12 million, I cannot
13 throw the baby out with the bath water, because
14 basically what we need is what -- to carry us into the
15 end of the year, which has been anticipated as being
16 between five and \$6 million.

17 If that's the case, I would hope that
18 we could maybe amend the motion to get it more up in
19 line for what is needed for that -- to take care of
20 this end of the year deficit.

21 And, again, if six or \$7 million is
22 needed next year, as was discussed, well, that will be
23 something that the newly organized Council will have to
24 deal with next year, if indeed that's the way the
25 budget is presented to the Council.

1 We need -- I think we need more than
2 that, Mr. President, to kind of take care of this
3 year's end. I would not want to leave this Council
4 leaving us in some kind of deficit spending for 2005.

5 If indeed that's -- yeah, that's the way it is.

6 I mean, I'm just asking that we
7 reconsider and get it more in line with possibly maybe
8 half of what is needed there.

9 MR. COURTRIGHT: You know, I struggle
10 with this, and, again, if I misled anybody saying that
11 if we were going to amend the budget, that I would vote
12 for the \$12, again, I apologize, that was not my
13 intention, although I didn't come up with the exact
14 figure that Mr. DiBileo had, I actually did not come up
15 with a figure, he did a little more homework than I
16 did, I understand people say to me all the time,
17 Where's it going to end, when are we going to stop
18 borrowing?

19 And I ask that question myself and how
20 we're going to pay it back. I ask that question
21 myself, but the fact of the matter is, we have to pay
22 the bills for 2005, and the money's got to come from

23 somewhere, and barring a tax increase, where else do we
24 get it from?

25 If the President is willing to change

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1 it to \$5 million or whatever, I will be happy to take

2 back my second, but I think we got to face the facts,

3 and this isn't going to be a popular thing, I think we

4 are going to have to have a tax increase soon.

5 I don't know how else we are going to

6 be able to survive. Do I want a tax increase?

7 Certainly not. I talked to a lot of just everyday

8 people, not lawyers or accountants or whatever, about

9 how they felt about this borrowing, and I got to be

10 honest with you, when I talk to people that I would

11 consider in the working class, most of them prefer, and

12 I know that you are going to think I'm crazy, but most

13 of the people I talked to, they said they would prefer,

14 you know, a tax increase to the borrowing.

15 When I talked to the people that were

16 on fixed incomes, our senior citizens, they said,

17 We simply cannot afford a tax increase. So, you know,

18 we've got two different ends of the spectrum and both

19 legitimate answers, you know, to the problems they

20 would have with the tax increase.

21 You know, my mom obviously is on a

22 fixed income, and I don't know what she could afford,

23 but I -- you know, I'm not in favor of borrowing money

24 to pay our bills, but I don't see an alternative. If

25 somebody could give me an alternative to that, I would

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1 be willing to look at that.

2 Should the administration last year and

3 should they come here the coming year to try to find

4 ways to cut costs, absolutely. I don't think they did

5 that, and I think they need to take a good hard look at

6 that.

7 The reason I was willing to go back

8 from the \$12 million to a figure Mr. DiBileo said, I

9 think that quite possibly the recovery plan issue might

10 be settled by the time our next budget comes up, I'm

11 hoping that it's settled, and I firmly believe that the

12 recovery plan is not going to solve all of our

13 problems, I still think we are going to need money, but

14 as Mr. Pocius said, I would not want to leave the

15 incoming Council with this, and I would leave the

16 incoming Council to make that decision next year at

17 this time, let the new Council, which obviously I will
18 be part of, so the ball will be back in my court, to
19 decide whether we should borrow again, if need be come
20 next year.

21 I don't know, Mr. President, if you're
22 willing to change your figures. If you are, I am
23 willing to withdraw my second, if not, I'm willing to
24 keep my second.

25 MR. POCIUS: I just think we need, just

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1 to be fair, I think the \$4.75, I really don't believe
2 will even get us through this year.
3 I think Lenny told us in there, he
4 needed between five and six, and I think six will be in
5 line. I mean, that's the first I heard it tonight, so
6 I'm not instructed by anybody, I'm just using -- I want
7 to leave this year -- I want to leave the city with
8 paid bills for the end of this year, and, again, Hey,
9 somebody might be back for \$12 million next year, I
10 don't know what's going to happen, but I think we owe
11 it to walk out of here with something that at least
12 we're not leaving the city right now in a desperate
13 position.

14 MR. COURTRIGHT: Can I say one more
15 thing, because this is just a very serious issue, I
16 believe. I asked myself why we didn't see this
17 legislation earlier, you know, some people said the
18 mayor doesn't want to bring that out before the
19 election, and if I was running for mayor, I wouldn't
20 want to bring it out before the election either, but
21 after the election was over, he won, and I would have
22 hoped that we would have seen it sooner so we could
23 have discussed it more.

24 I mean, there wasn't a real lot of
25 discussion amongst us here, other than tonight, and

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1 obviously I think some members here thought I was
2 thinking about something that I wasn't, and whether we
3 agree or disagree, I've never tried to mislead anybody.
4 So, if in fact I'm sitting on this
5 Council with three of the members that are here next
6 year and borrowing needs to be done again, I would ask
7 that we be told much earlier, because I just feel like
8 I was under the gun on this, and I guess I've talked
9 enough on that.

10 So, they're my feelings, and I would be

11 willing to withdraw, if you want to change it; I would
12 be willing to hold if, if you don't.

13 MR. MCTIERNAN: I just -- I agree on
14 certain points across the board here that we have
15 certain obligations to get through the end of the year,
16 and the nearest estimates we're getting is somewhere
17 between five and \$6 million, so I agree the \$4.75, I
18 think that's the number that you mentioned, may not get
19 us through this year, and as I understand it, there are
20 significant penalties if we don't fund our obligations,
21 particularly, Mr. Pocius, help me out.

22 MR. POCIUS: It could be big ones like
23 the pension fund and stuff like that, which we don't
24 even want to go there.

25 MR. MCTIERNAN: Right. And then we

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1 have to pay some other notes back. My fear is that we
2 won't make it through this year, and we will have to
3 pay back the TAN series A and B for '06, that he just
4 approved, so we have \$14.5 million that has to come
5 back next year.

6 In addition to that shortfall, and as
7 most of my colleagues pointed out, about four and a

8 half million looks like that's excess to cover our
9 debt, I guess, was talked around about.
10 Now, if we use that for revenue
11 purposes, then we're going to have to pay that back in
12 addition next year, so that's an automatic, because we
13 don't have an option not to pay that TAN back
14 December 29 of next year, so I guess I have two
15 questions, the first question is if this amendment
16 fails, do we have the ability to suggest another
17 amendment prior to a vote? I guess I need that from
18 the solicitor.

19 MR. MINORA: Could someone make another
20 motion?

21 MR. MCTIERNAN: Yes. If the amendment
22 fails, say it's, well, whatever it is, I don't know
23 what it will be, say it falls to pass, can we propose a
24 new amendment?

25 MR. MINORA: You can make another

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1 motion.

2 MR. MCTIERNAN: Okay. With that just
3 being said, that's something to consider.

4 The other thing I'm concerned with, I

5 agree with Mr. Courtright's comment that we've had
6 minimal discussion, but most of the discussion centered
7 around assumptions I think we were all making across
8 the board that we thought there was consensus on a few
9 ideas as we talked independently about where we felt
10 the budget may go in caucus last week, with that in
11 mind, I'm not comfortable, and I guess it depends on
12 whether or not we withdraw the motion or whether it
13 fails, if it passes -- or if it passes any one of the
14 three items, my suggestion would be pending the outcome
15 of either withdrawal or a vote, that we -- I would make
16 a motion after the fact to do a brief recess, because
17 we're throwing numbers around like they're \$20 bills in
18 or pocket, and we're saying it might be four, it might
19 be five, pending this motion or withdraw of the motion,
20 I would make a motion to recess and we hammer out a
21 dollar figure that's not a guess.

22 MR. COURTRIGHT: Could we make a brief
23 recess before vote, or do we need to vote?

24 MR. MCTIERNAN: I don't know that
25 answer.

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1 MR. DIBILEO: We have a motion on the

2 floor and a second.

3 MR. COURTRIGHT: Could we recess now or
4 do we have to vote and then recess?

5 MR. MCTIERNAN: Or withdraw.

6 MR. COURTRIGHT: I would prefer to call
7 for a recess before we vote, if that's possible.

8 MR. MINORA: I don't see why you can't.

9 MR. MCTIERNAN: I make a motion to
10 recess.

11 MR. COURTRIGHT: I'll second it --

12 MS. EVANS: Well, there's a motion on
13 the floor, right?

14 MR. MCTIERNAN: Well, the solicitor
15 said he thought we could.

16 MR. DIBILEO: Now, once again, just as
17 earlier, the motion had to be withdrawn in order to,
18 you know, make and second another motion, and at this
19 time, I'm not willing to withdraw my current motion,
20 the reason being, I don't want to borrow any money, but
21 also I don't want a tax increase, but it's a fact that
22 health care -- it's a fact that health care has
23 increased roughly four and a half million dollars since
24 the people voted overwhelming on the recovery plan. I
25 mean, that's a real number, and I in good conscience

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1 can't vote for anything beyond that personally.

2 And, again, this \$4.7 million is

3 actually a little more than the health care increase

4 that we've seen over the last two years.

5 MR. MCTIERNAN: And I guess, if I may,

6 Mr. President, I couldn't be in favor of an amendment

7 that leaves us short for the '05 calendar year, and

8 then essentially obligates the taxpayers to the

9 penalties that would be forthcoming if we don't meet

10 our obligations at the end of '05.

11 And on that same not that we've talked

12 about, we probably could argue or discuss for days

13 whether or not tax increases should happen, but with

14 health care increases, increases in inflation, energy

15 prices, etc., you're all probably right, incremental

16 tax increases, we see that in our job all the time with

17 what we're involved in, and it's always a problem when

18 you withhold small tax increases, and then there's one

19 large one, so I guess the argument is, what should we

20 have, but I don't suppose that matters today. So,

21 that's all I have, Mr. President.

22 MR. DIBILEO: For discussion purposes,

23 I will withdraw my motions, we will recess, we'll talk
24 about it.

25 MR. COURTRIGHT: I'll withdraw my
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1 second, yes.

2 MR. MCTIERNAN: I make a motion that we
3 recess to discuss the '06 operating budget in caucus.

4 MR. COURTRIGHT: Second.

5 MR. DIBILEO: Okay. Motion on the
6 floor and a second. On the question? 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 we will be back very shortly.

14 (RECESS TAKEN.)

15 MR. DIBILEO: Okay. We're going to
16 reconvene our meeting once again. We're sorry for the
17 delay.

18 And a lot was talked about in the back
19 room regarding the \$12 million piece of legislation

20 that we're voting on right now.

21 I made a motion earlier, and I'm about

22 to make another motion, but just to give -- bring

23 everybody up to date, we talked to Leonard Kresefski

24 pretty much in detail, the business administrator, and

25 he said that he doesn't think \$5 million is going to

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1 cut it this year, that we could possibly be defaulting

2 on some city obligations, and I came into tonight

3 feeling as though \$4.75 is where I could go, and

4 because of health care costs which have risen.

5 I think to go in \$12 million range or

6 \$6 million range is just waving a magic wand and

7 saying, Spend what you want to spend and we're going to

8 fill the hole, and I'm not in a position to do that,

9 but I will make a motion now after considering all of

10 the discussions in the back room, to make a motion to

11 amend the \$12 million figure in Item 7-B to be a figure

12 of \$5.25 million.

13 MR. COURTRIGHT: Second.

14 MR. DIBILEO: \$5.25 million, I'm

15 willing to compromise.

16 MR. COURTRIGHT: I'll second it.

17 MR. DIBILEO: Okay. We have a motion

18 on the floor and a second.

19 MR. COURTRIGHT: Could I ask we have a

20 roll call vote, Mr. President, is that possible?

21 MR. DIBILEO: Okay. We are going to

22 have a roll call vote on amending 7-B to \$5.25 million.

23 Roll call vote, please, Kay. Neil. Here we go again.

24 MR. COOLICAN: Mr. McTiernan.

25 MR. McTIERNAN: No.

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1 MR. COOLICAN: Mrs. Evans.

2 MS. EVANS: No.

3 MR. COOLICAN: Mr. Pocius.

4 MR. POCIUS: No.

5 MR. COOLICAN: Mr. Courtright.

6 MR. COURTRIGHT: Yes.

7 MR. COOLICAN: Mr. DiBileo.

8 MR. DIBILEO: Yes. By a 3-2 vote,

9 motion does not pass.

10 MR. MCTIERNAN: I'd like to make a

11 motion, Mr. President, to amend 7-B to \$5.5 million.

12 MR. DIBILEO: Okay. We have a motion

13 on the floor to amend 7-B to \$5.5 million. On the

14 question?

15 MR. POCIUS: Just on the question, just

16 I think this is the number that Mr. Kresefski said was

17 the number he needed to make the debt service payments

18 and all the other obligations, especially the pension

19 fund and the TANS in order not to go into default, that

20 was the bare bones.

21 It's somewhere around \$5.2 to \$5.3, but

22 with some unknowns, it could -- \$5.5 is a safe figure

23 to allow for the city to get through the end of the

24 year without any defaults, which is acritical, as far

25 as I'm concerned.

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1 MR. DIBILEO: Just on the question, I'm

2 willing to compromise, but I'm not willing to fund

3 overspending, in my mind, and I am willing to go to the

4 motion of \$5.25, which I made, which was defeated.

5 Anyone else on the question regarding \$5.5?

6 MR. COURTRIGHT: On the question,

7 Mr. DiBileo, I was in agreement with Mr. DiBileo to go

8 to the \$5.25 to try to make a compromise, obviously we

9 couldn't get that. If we don't get something, we're

10 going to default on these loans and the pension. I'm

11 not happy about this at all. That's all I have to say.

12 Go ahead, Mr. President.

13 MR. DIBILEO: If there's no --

14 MR. POCIUS: I just ask the same thing,

15 can we roll call?

16 MR. DIBILEO: If there's no further

17 questions, roll call, please, Neil.

18 MR. COOLICAN: Mr. McTiernan.

19 MR. McTIERNAN: Yes.

20 MR. COOLICAN: Mrs. Evans.

21 MS. EVANS: No.

22 MR. COOLICAN: Mr. Pocius.

23 MR. POCIUS: Yes.

24 MR. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

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1 MR. COOLICAN: Mr. DiBileo.

2 MR. DIBILEO: No. By a 3-2 vote,

3 motion passes at \$5.5 million.

4 MR. POCIUS: Now I guess we can read it

5 as amended.

6 MS. GARVEY: You have to bear with me

7 on this one. 7-B, FOR CONSIDERATION BY THE COMMITTEE

8 ON FINANCE - FOR ADOPTION - FILE OF COUNCIL NO. 163,
9 2005 - AN ORDINANCE - AS AMENDED - AUTHORIZING THE
10 LEASE OF CERTAIN REAL PROPERTY TO THE SEWER AUTHORITY
11 OF THE CITY OF SCRANTON, PENNSYLVANIA PURSUANT TO A
12 LEASE AGREEMENT; DECLARING THE GUARANTY OF SAID
13 AUTHORITY'S GUARANTEED LEASE REVENUE NOTE FOR THE
14 BENEFIT OF THE CITY OF SCRANTON TO BE A PROJECT OF THE
15 CITY FOR WHICH LEASE RENTAL DEBT IS TO BE INCURRED;
16 STATING THE REALISTIC ESTIMATED USEFUL LIFE OF THE
17 FACILITY RELATING TO THE NOTE; DETERMINING TO INCUR
18 LEASE RENTAL DEBT IN AN AGGREGATE PRINCIPAL AMOUNT NOT
19 TO EXCEED \$5.5 MILLION IN RESPECT OF SAID PROJECT, SUCH
20 DEBT TO BE EVIDENCED BY THE CITY'S SUBLEASE AND
21 GUARANTY AGREEMENT WITH RESPECT TO SAID NOTE;
22 AUTHORIZING CERTAIN CITY OFFICERS TO PREPARE, CERTIFY
23 AND FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC
24 DEVELOPMENT THE DEBT STATEMENT REQUIRED BY SECTION 8110
25 OF THE LOCAL GOVERNMENT UNIT DEBT ACT AND AUTHORIZING

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1 THE PREPARATION OF A BORROWING BASE CERTIFICATE;
2 APPROVING THE FORM OF, AND AUTHORIZING, SUBJECT TO
3 CERTAIN CONDITIONS, EXECUTION AND DELIVERY OF THE
4 AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY

5 AGREEMENT; REPEALING INCONSISTENT PRIOR ORDINANCES;
6 SETTING FORTH CERTAIN CONDITIONS TO THE EXECUTION AND
7 DELIVERY OF THE AFORESAID LEASE AGREEMENT AND SUBLEASE
8 AND GUARANTY AGREEMENT; AND AUTHORIZING THE PROPER
9 OFFICERS OF THE CITY TO TAKE ALL REQUIRED, NECESSARY OR
10 DESIRABLE RELATED ACTION IN CONNECTION WITH SUCH
11 PROJECT AND THE EXECUTION AND DELIVERY OF THE LEASE
12 AGREEMENT AND THE SUBLEASE AND GUARANTY AGREEMENT.

13 MR. DIBILEO: Okay. What is the
14 recommendation of the chairperson for the committee on
15 finance?

16 MS. EVANS: As chair for the committee
17 on finance, I do not recommend final passage of
18 Item 7-B.

19 MR. POCIUS: I'll second it. We got to
20 get it to vote.

21 MR. DIBILEO: Okay. We have a motion
22 and a second, and on the question, one thing I'd like
23 to say is that let's clarify how a yes vote is going to
24 be placed.

25 MR. POCIUS: A yes is to defeat, a

.

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1 negative motion.

2 MR. MINORA: A yes will be defeating.

3 MR. POCIUS: So, if you're for the

4 ordinance, you vote no. It is bizarre, we had this

5 once before.

6 MR. DIBILEO: Okay. So, if you're for

7 \$5.5 million, you're going to vote no, if you're

8 against \$5.5 million, you are going to vote yes,

9 because the motion was to not recommend.

10 MR. POCIUS: Just so everybody

11 understands, a no means yes and a yes means no in this

12 case. So, a no is to pass it, \$5.5 million, and a yes

13 is to defeat it, right?

14 MS. EVANS: You're absolutely right.

15 MR. POCIUS: Okay. That's it. Enough

16 said.

17 MR. DIBILEO: Okay. And on the

18 question?

19 MS. EVANS: You know, I think the

20 short-term solution is for things basically to remain

21 as they are now and for the people on Council to do

22 whatever is necessary to stop increased borrowing, and

23 then the next step would be to have the mayor produce a

24 true balanced budget without more expenditures, those

25 being political hires, wage increases; in other words,

1 I think it's time to force an austerity budget on the
2 mayor to reduce long-term debt, and thereby pay much
3 less money in interest over the years.
4 And, you know, money was loaned to him
5 last year. This year, he's getting far more than last
6 year, and I just think that we can't continue to go
7 down this road, and I frankly don't see any end to it.
8 I think you're going to see the same
9 thing next year at this time. And I, for one, am not
10 even sure that this recovery plan is legal and in
11 effect after December 31, 2005, and it's very possible
12 a new plan may have to be drafted, and there are pages
13 in that plan that indicates such, one being an
14 introductory letter to the mayor and former President
15 Kevin Murphy that is, I believe, under a signature of
16 the former executive director, Mr. Waters, stating that
17 that plan was to be implemented through the end of 2002
18 and then carry on through 2003 through 2005, period,
19 and there are at least four or five more pages that
20 point to that, so I just don't know where anybody
21 thinks they're heading here, except to an incessant
22 stream of borrowed money.

23 MR. DIBILEO: Thank you. And just on
24 the question, as I said earlier, I'd rather not borrow
25 any money. I realize I also do not want to see a tax
.

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1 increase, and I know health insurance is a legitimate
2 reason to allow for borrowing to some extent, but
3 beyond a certain point in good conscience, I cannot
4 support the current level of \$5.5.

5 MS. EVANS: And health insurance costs,
6 Mr. DiBileo is correct, escalate every year. I know
7 that my co-pay has escalated significantly over the
8 years, but the district's costs were capped and all
9 those increases were passed along to us, the workers.
10 Now, I just can't see, you know, health
11 care, certainly, pension, all of these costs have
12 increased, but at the same time there has been no
13 provisions made in the other line items of the budget
14 to control any costs. Where's the forethought? It's
15 just let's keep on spending, growing, spending,
16 spending, and keep on borrowing until someone else is
17 going to have to manage that situation.
18 I think, you know, much of this is
19 akin. Like someone said to me earlier, akin to giving

20 whiskey to an alcoholic.

21 MR. COURTRIGHT: Mr. President, if I

22 may. I agree with Mr. DiBileo's first motion before we

23 recessed, and how you I arrived at my discussion now it

24 was almost that if we gave that figure, that we might

25 as well had given nothing, because we were going to

.

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1 default, and it was said to me, and rightfully so, you

2 know, do I have anything hanging in front of me in

3 writing, and I don't, and I am probably going to get a

4 lot of heat for this, but I'm going on -- I'm taking

5 Leonard Kresefski's word that both -- two different

6 phone calls were made to him when we were in the back

7 there, and I hope I don't live to regret taking his

8 word for it, but so far in the two years I've been on

9 Council, he's never lied to me, that I know of.

10 I mean, maybe he has and I don't know

11 about it, but as far as I know, he hasn't, and he told

12 me what was bare bones in there, and I'm going to take

13 his word for it, and I just hope I don't live to regret

14 it. That's all I have.

15 MS. EVANS: I don't, you know, I in no

16 way, shape or form am questioning the veracity of

17 Mr. Kresefski, however, I've had now three different
18 versions of why this has to happen. Maybe they're all
19 interrelated, but the first one was, we'll incur a
20 \$100,000 fine, the next one was, there's a state
21 deadline, and now the third one is, do you want to
22 repeat it, Bill?

23 MR. COURTRIGHT: That if we do not give
24 him the \$5.5, that we would default on the loans and on
25 the pension payment.

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1 MS. EVANS: Well, you know --

2 MR. COURTRIGHT: That's what I was told
3 by Leonard.

4 MS. EVAN: Well, when we have that many
5 explanations, maybe do need to look at in writing
6 before you give him the money which one of the three it
7 is, or maybe it's all three, I don't know, but I do
8 know it in the last three days, well, in three days, I
9 have one story, and tonight I've had two.

10 MR. DIBILEO: If there is no further
11 questions, can we have a roll call on 7-B, Neil?

12 MR. COOLICAN: Mr. McTiernan.

13 MR. McTIERNAN: No.

14 MR. COOLICAN: Mrs. Evans.

15 MS. EVANS: Yes.

16 MR. COOLICAN: Mr. Pocius.

17 MR. POCIUS: No.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: No.

20 MR. COOLICAN: Mr. DiBileo.

21 MR. DIBILEO: Yes. By a 3-2 vote,

22 motion to pass 7-B at \$5.5 million is successful.

23 Okay.

24 MS. GARVEY: 7-C, FOR CONSIDERATION BY

25 THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF COUNCIL

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1 NO. 164, 2005 - FILE OF COUNCIL NO. 164, 2005 - AN

2 ORDINANCE - AUTHORIZING THE TRANSFER OF A PARCEL OF

3 LAND ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL

4 PROJECT TO THERESA STEVENS AS PARTIAL COMPENSATION FOR

5 THE ACQUISITION OF A PORTION OF THE STEVENS PROPERTY

6 FOR THE LACKAWANNA RIVER FLOOD CONTROL PROJECT.

7 MR. DIBILEO: As chairperson for the

8 committee on rules, I recommend final passage of Item

9 7-C.

10 MR. POCIUS: Seconded.

11 MR. DIBILEO: On the question? Roll

12 call please, Neil.

13 MR. COOLICAN: Mr. McTiernan.

14 MR. McTIERNAN: Yes.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: Yes.

17 MR. COOLICAN: Mr. Pocius.

18 MR. POCIUS: Yes.

19 MR. COOLICAN: Mr. Courtright.

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mr. DiBileo.

22 MR. DIBILEO: Yes. I hereby declare

23 Item 7-C legally and lawfully adopted.

24 MS. GARVEY: 7-D, FOR CONSIDERATION BY

25 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

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1 177, 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

2 CITY OFFICIALS TO ENTER INTO A CONTRACT FOR

3 PROFESSIONAL SERVICES WITH NORTHEAST CREDIT AND

4 COLLECTION FOR THE COLLECTION OF DELINQUENT REFUSE

5 FEES; THE CONTRACT TO RUN FOR THE YEARS 2006, 2007 AND

6 2008.

7 MR. DIBILEO: As chairperson for the

8 committee on rules, I recommend final passage of Item
9 7-D.

10 MR. POCIUS: Seconded.

11 MR. DIBILEO: On the question?

12 MS. EVANS: Yes. I had made a
13 suggestion at Thursday's meeting, which I have since
14 read in the newspaper would have been inappropriate for
15 the treasurer's office, they feel that they cannot
16 handle delinquencies under the amount of \$5,000 without
17 additional staff, but, you know, there have been
18 changes in the city treasurer's office, and they're
19 handling real estate that is coming back to the
20 treasurer's office, there will be property searches, if
21 you will, conducted, and city tax sales are going to be
22 conducted for the first time in many, many years.

23 In addition to that, much has been said
24 this evening about the good probability of a tax
25 increase, and with the condition that most Scrantonians

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1 find themselves in financially, I really have to ask
2 Council to think about placing all of those people in
3 the hands of NCC in the face of a significant tax
4 increase, because, remember, NCC gets 25 percent on top

5 of what your delinquent bill is, and you have only four
6 months from the date of that delinquency, from January
7 to April, to come up with that money, plus their 25
8 percent, and so, I would much rather see, and I know
9 what Mr. Pocius will say, we have no right to negotiate
10 this contract, but I really think this should be put on
11 hold, and I don't believe three weeks will be the end
12 of the world with these delinquencies, because we have
13 so many out there, particularly those over \$5,000 for
14 many, many years.

15 I don't think NCC at this point should
16 have more than a one-year contract, not a three-year
17 renewal. And at the end of that one year when the
18 treasurer's office is straightened out, then a contract
19 can be negotiated to handle the future years properly,
20 but just to saddle all Scrantonians with this type of
21 draconian measure right now, in light of what we know
22 is coming, is very unfair.

23 MR. DIBILEO: Okay. Are there any
24 other questions? I just want to say that this Council
25 has heard the concerns of taxpayers and have worked

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1 with NCC to make their day to day practices more

2 palatable; however, collecting taxes will never be

3 totally palatable, I'm sure.

4 Also, this company is in the city,

5 they're large enough to handle the account, they employ

6 a large number of people, and therefore -- and many are

7 city residents, therefore, I will vote in the

8 affirmative.

9 MS. EVANS: And many, many of the

10 people who will find themselves in these difficulties

11 are city residents, city residents who might have lost

12 a spouse or have a family member who's afflicted with a

13 terminal disease or an individual who's lost a job

14 through no fault of his or her own, but there is no

15 understanding for any of those cases.

16 MR. POCIUS: Let's just vote.

17 MS. EVANS: Yes, let's just vote.

18 MR. POCIUS: Let's vote. I mean, this

19 draconian, the picture you're painting here, Mrs.

20 Evans, I mean, let's just vote, Mr. DiBileo.

21 MR. DIBILEO: If there's no further

22 questions --

23 MR. LYMAN: I think it --

24 MR. DIBILEO: Hey, dont' --

25 MR. LYMAN: I have a right to speak.

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1 MR. POCIUS: No, you don't.

2 MS. EVANS: Not now.

3 MR. LYMAN: Oh, yes, I do.

4 MS. EVANS: Not at this point.

5 MR. LYMAN: Somebody made a mistake and

6 they ruined my credit. I have a right to speak.

7 MR. POCIUS: No, he doesn't have a

8 right to speak.

9 MR. LYMAN: I have a right to speak,

10 Mr. Pocius. They ruined my credit.

11 MR. DIBILEO: Ray, Ray, there can't be

12 any speaking now.

13 MR. LYMAN: They ruined my credit.

14 You're going to give them a contract, and they

15 destroyed my credit.

16 MR. DIBILEO: Ray, Ray, Ray, please.

17 MR. POCIUS: Ray.

18 MR. COURTRIGHT: You either got to be

19 quiet or leave.

20 MR. POCIUS: Ray, you got to be quiet

21 or leave, either one.

22 MR. LYMAN: I have a right to speak.

23 MR. POCIUS: No, you don't.

24 MR. DIBILEO: Not now, Ray, please.

25 MR. LYMAN: I do. They destroyed my

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1 life, they harassed me.

2 MR. DIBILEO: I am going to have to ask

3 you to leave, if you don't stop speaking. Thank you.

4 If there's no further questions, roll call, please,

5 Neil.

6 MR. COOLICAN: Mr. McTiernan.

7 MR. McTIERNAN: Yes.

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: No.

10 MR. COOLICAN: Mr. Pocius.

11 MR. POCIUS: Yes.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MR. COOLICAN: Mr. DiBileo.

15 MR. DIBILEO: Yes. By a 4-1 vote, I

16 declare Item 7-D legally and lawfully adopted.

17 MS. GARVEY: 7-E, FOR CONSIDERATION BY

18 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

19 178, 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

20 CITY OFFICIALS TO ENTER INTO A CONTRACT FOR
21 PROFESSIONAL SERVICES WITH NORTHEAST CREDIT AND
22 COLLECTION FOR THE COLLECTION OF DELINQUENT REAL ESTATE
23 FEES; THE CONTRACT TO RUN FOR THE YEARS 2006, 2007 AND
24 2008.

25 MR. DIBILEO: As chairperson for the
.

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1 committee on rules, I recommend final passage of Item

2 7-E.

3 MR. POCIUS: Seconded.

4 MR. DIBILEO: On the question? Roll

5 call please, Neil.

6 MR. COOLICAN: Mr. McTiernan.

7 MR. McTIERNAN: Yes.

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: No.

10 MR. COOLICAN: Mr. Pocius.

11 MR. POCIUS: Yes.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MR. COOLICAN: Mr. DiBileo.

15 MR. DIBILEO: Yes. I hereby declare

16 Item 7-E legally and lawfully adopted.

17 MS. GARVEY: 7-F, FOR CONSIDERATION BY
18 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.
19 179, 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
20 CITY OFFICIALS TO EXECUTE AND ENTER INTO A
21 REIMBURSEMENT AGREEMENT NO. 048606-A WITH THE
22 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF
23 TRANSPORTATION FOR THE CONSTRUCTION PHASE OF THE NAY
24 AUG PEDESTRIAN BRIDGE.

25 MR. DIBILEO: As chairperson for the

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1 committee on rules, I recommend final passage of

2 Item 7-F.

3 MR. POCIUS: Seconded.

4 MR. DIBILEO: On the question? Roll

5 call please, Neil.

6 MR. COOLICAN: Mr. McTiernan.

7 MR. McTIERNAN: Yes.

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: Yes.

10 MR. COOLICAN: Mr. Pocius.

11 MR. POCIUS: Yes.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MR. COOLICAN: Mr. DiBileo.

15 MR. DIBILEO: Yes. I hereby declare

16 Item 7-F legally and lawfully adopted.

17 MS. GARVEY: 7-G, FOR CONSIDERATION BY

18 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

19 RESOLUTION NO. 180, 2005 - AUTHORIZING THE MAYOR AND

20 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER

21 INTO A QUALIFIED SELLER AGREEMENT (QSA) WITH COMMUNITY

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

23 QUALIFY THE CITY TO SELL OUTSTANDING LOANS FROM THE

24 CITY OF SCRANTON, OFFICE OF ECONOMIC AND COMMUNITY

25 DEVELOPMENT.

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1 MR. DIBILEO: What's the recommendation

2 of the chairperson for the committee on community

3 development?

4 MR. McTIERNAN: I recommend final

5 passage of Item 7-G.

6 MR. POCIUS: Seconded.

7 MR. DIBILEO: On the question? Roll

8 call, please, Neil.

9 MR. COOLICAN: Mr. McTiernan.

10 MR. McTIERNAN: Yes.

11 MR. COOLICAN: Mrs. Evans.

12 MS. EVANS: No.

13 MR. COOLICAN: Mr. Pocius.

14 MR. POCIUS: Yes.

15 MR. COOLICAN: Mr. Courtright.

16 MR. COURTRIGHT: Yes.

17 MR. COOLICAN: Mr. DiBileo.

18 MR. DIBILEO: Yes. I hereby declare

19 Item 7-G legally and lawfully adopted.

20 MS. GARVEY: 7-H, FOR CONSIDERATION BY

21 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

22 RESOLUTION NO. 181, 2005 - AUTHORIZING THE MAYOR AND

23 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER

24 INTO A LOAN PURCHASE AGREEMENT WITH COMMUNITY

25 REINVESTMENT FUND INC., (CRF) FOR THE PURCHASE OF

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1 FOURTEEN LOANS MADE BY THE CITY OF SCRANTON, OFFICE OF

2 ECONOMIC AND COMMUNITY DEVELOPMENT.

3 MR. DIBILEO: What's the recommendation

4 of the chairperson for the committee on community

5 development?

6 MR. McTIERNAN: Mr. President, I

7 recommend final passage of Item 7-H.

8 MR. POCIUS: Seconded.

9 MR. DIBILEO: On the question? Just on
10 the question, once again for economic development
11 reasons, and hopefully job creation reasons, I support
12 this legislation, especially since politics has now
13 been removed.

14 I believe benefits outweigh the costs,
15 and the administration has said that all money will
16 come before Council, and you have to take people at
17 their word at times. Roll call, please, Neil.

18 MR. COOLICAN: Mr. McTiernan.

19 MR. McTIERNAN: Yes.

20 MR. COOLICAN: Mrs. Evans.

21 MS. EVANS: No.

22 MR. COOLICAN: Mr. Pocius.

23 MR. POCIUS: Yes.

24 MR. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

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1 MR. COOLICAN: Mr. DiBileo.

2 MR. DIBILEO: Yes. I hereby declare

3 Item 7-H legally and lawfully adopted.

4 MS. GARVEY: 7-I, which formerly 6-A,

5 FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FILE OF
6 COUNCIL NO. 165, 2005 - AN ORDINANCE - AMENDING FILE OF
7 COUNCIL NO. 82, 2004, AN ORDINANCE ENTITLED GENERAL
8 CITY OPERATING BUDGET 2005 BY TRANSFERRING \$4,450.00
9 FROM ACCOUNT NO. 01.080.00083.4460 (STREET LIGHTING) TO
10 ACCOUNT NO. 01.401.10030.4299 (ZONING BOARD OPERATING
11 EXPENSES) TO PROVIDE FUNDING TO COVER ZONING BOARD
12 EXPENSES THROUGH YEAR END.

13 MR. DIBILEO: What's the recommendation
14 of the chairperson for the committee on finance?

15 MS. EVANS: As chair for the committee
16 on finance, I recommend final passage of Item 7-I.

17 MR. POCIUS: Seconded.

18 MR. DIBILEO: On the question? Roll
19 call, please, Neil, on 7-I, which was formerly 6-A.

20 MR. COOLICAN: Mr. McTiernan.

21 MR. McTIERNAN: Yes.

22 MR. COOLICAN: Mrs. Evans.

23 MS. EVANS: Yes.

24 MR. COOLICAN: Mr. Pocius.

25 MR. POCIUS: Yes.

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1 MR. COOLICAN: Mr. Courtright.

2 MR. COURTRIGHT: Yes.

3 MR. COOLICAN: Mr. DiBileo.

4 MR. DIBILEO: Yes. I hereby declare

5 Item 7-I legally and lawfully adopted.

6 MS. GARVEY: 7-J, which was formerly

7 6-B, FOR CONSIDERATION BY THE COMMITTEE ON FINANCE -

8 FOR ADOPTION - FILE OF COUNCIL NO. 167, 2005 -

9 AN ORDINANCE - AMENDING FILE OF COUNCIL NO. 135, 2005,

10 AN ORDINANCE ENTITLED SALE OF TAX DELINQUENT PROPERTY

11 AT 659 WALES STREET NEAR LEGGETT'S CREEK, SCRANTON,

12 PENNSYLVANIA, TO PENNSYLVANIA AMERICAN WATER COMPANY

13 (PAWC), 100 NORTH PENNSYLVANIA AVENUE, WILKES-BARRE,

14 PENNSYLVANIA, 18701, FOR THE SUM OF \$4,000.00 IN ORDER

15 TO REFLECT THE CORRECT ADDRESS WHICH IS 600 BLOCK OF

16 WALES STREET BY LEGGETT'S CREEK.

17 MR. DIBILEO: What's the recommendation

18 of the chairperson for the committee on finance?

19 MS. EVANS: As chair for the committee

20 on finance, I recommend final passage of Item 7-J.

21 MR. POCIUS: Seconded.

22 MR. DIBILEO: On the question? Roll

23 call, please, Neil.

24 MR. COOLICAN: Mr. McTiernan.

25 MR. McTIERNAN: Yes.

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1 MR. COOLICAN: Mrs. Evans.

2 MS. EVANS: Yes.

3 MR. COOLICAN: Mr. Pocius.

4 MR. POCIUS: Yes.

5 MR. COOLICAN: Mr. Courtright.

6 MR. COURTRIGHT: Yes.

7 MR. COOLICAN: Mr. DiBileo.

8 MR. DIBILEO: Yes. I hereby declare

9 Item 7-J, formerly 6-B, legally and lawfully adopted.

10 MS. GARVEY: 7-K, which was formerly

11 6-C, FOR CONSIDERATION BY THE COMMITTEE ON FINANCE -

12 FOR ADOPTION - FILE OF COUNCIL NO. 167, 2005 -

13 AN ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A

14 FIVE MILLION DOLLARS (\$5,000,000.00) PRINCIPAL AMOUNT,

15 TAX AND REVENUE ANTICIPATION NOTE OF THE CITY OF

16 SCRANTON KNOWN AS TAN SERIES A, AWARDED TO COMMUNITY

17 BANK & TRUST COMPANY; DETERMINING THE FORM AND TERM OF

18 SAID NOTE; AWARDED SAID NOTE; AUTHORIZING AND

19 DIRECTING THE FILING OF CERTAIN DOCUMENTS; AND

20 DIRECTING THE PROPER OFFICIALS OF THE CITY OF SCRANTON

21 TO TAKE ANY AND ALL OTHER ACTIONS AS MAY BE REQUIRED IN

22 CONNECTION WITH THE ISSUANCE OF SAID NOTE.

23 MS. EVANS: As chair for the committee

24 on finance, I recommend final passage of Item 7-K.

25 MR. POCIUS: Seconded.

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1 MR. DIBILEO: On the question,

2 I'd like to say that is there anyone in the audience

3 that would like to comment on 7-K, which is formerly

4 6-C, involving the tax anticipation note? Okay. If

5 there's no further questions, roll call please, Neil.

6 MR. COOLICAN: Mr. McTiernan.

7 MR. McTIERNAN: Yes.

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: Yes.

10 MR. COOLICAN: Mr. Pocius.

11 MR. POCIUS: Yes.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MR. COOLICAN: Mr. DiBileo.

15 MR. DIBILEO: Yes. I hereby declare

16 Item 7-K, formerly 6-C, legally and lawfully adopted.

17 MS. GARVEY: 7-L, which was formerly

18 6-D, FOR CONSIDERATION BY THE COMMITTEE ON FINANCE -

19 FOR ADOPTION - FILE OF COUNCIL NO. 168, 2005 - AN

20 ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A NINE
21 AND ONE HALF MILLION (\$9,500,000.00) DOLLARS PRINCIPAL
22 AMOUNT, TAX AND REVENUE ANTICIPATION NOTE OF THE CITY
23 OF SCRANTON KNOWN AS TAN SERIES B, AWARDED TO COMMUNITY
24 BANK & TRUST COMPANY; DETERMINING THE FORM AND TERM OF
25 SAID NOTE; AWARDING SAID NOTE; AUTHORIZING AND

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1 DIRECTING THE FILING OF CERTAIN DOCUMENTS; AND
2 DIRECTING THE PROPER OFFICIALS OF THE CITY OF SCRANTON
3 TO TAKE ANY AND ALL OTHER ACTIONS AS MAY BE REQUIRED IN
4 CONNECTION WITH THE ISSUANCE OF SAID NOTE.

5 MS. EVANS: As chair for the committee

6 on finance, I do not recommend final passage of

7 Item 7-L.

8 MR. POCIUS: Seconded.

9 MS. EVANS: Just reverse the vote.

10 MR. DIBILEO: On the question? To

11 clarify, a yes vote is to be against, and a no vote is

12 to be in favor of. Okay. Is there anyone in the

13 audience that would like to comment on 7-L, formerly

14 6-D involving tax anticipation note? Okay. If not,

15 roll call, please, Neil.

16 MR. COOLICAN: Mr. McTiernan.

17 MR. McTIERNAN: No.

18 MR. COOLICAN: Mrs. Evans.

19 MS. EVANS: Yes.

20 MR. COOLICAN: Mr. Pocius.

21 MR. POCIUS: No.

22 MR. COOLICAN: Mr. Courtright.

23 MR. COURTRIGHT: No.

24 MR. COOLICAN: Mr. DiBileo.

25 MR. DIBILEO: No. I hereby declare

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1 Item 7-L legally and lawfully adopted.

2 MS. GARVEY: 7-M, which was formerly

3 6-E, FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR

4 ADOPTION - FILE OF COUNCIL NO. 169, 2005 - AN ORDINANCE

5 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY

6 OFFICIALS TO ACCEPT, RECEIVE AND RECORD A GIFT OF REAL

7 ESTATE FROM THE UNIVERSITY OF SCRANTON CONSISTING OF

8 PARTIAL PARCEL AT THE INTERSECTION OF MULBERRY STREET

9 AND JEFFERSON AVENUE TO ENLARGE TO TURNING RADIUS FOR

10 VEHICLES TURNING RIGHT FROM MULBERRY TO JEFFERSON.

11 MR. DIBILEO: As chairperson for the

12 committee on rules, I recommend final passage of

13 Item 7-M, formerly 6-E.

14 MR. POCIUS: Seconded.

15 MR. DIBILEO: On the question? Is

16 there anyone that would like to comment on 7-M,

17 formerly 6-E? If not, if there's no further questions,

18 roll call please, Neil.

19 MR. COOLICAN: Mr. McTiernan.

20 MR. McTIERNAN: Yes.

21 MR. COOLICAN: Mrs. Evans.

22 MS. EVANS: Yes.

23 MR. COOLICAN: Mr. Pocius.

24 MR. POCIUS: Yes.

25 MR. COOLICAN: Mr. Courtright.

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1 MR. COURTRIGHT: Yes.

2 MR. COOLICAN: Mr. DiBileo.

3 MR. DIBILEO: Yes. I hereby declare

4 Item 7-M legally and lawfully adopted.

5 MS. GARVEY: 7-N, which was formerly

6 6-F, FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS

7 - FOR ADOPTION - FILE OF COUNCIL NO. 170, 2005 - AN

8 ORDINANCE - VACATING ANY AND ALL RIGHT, TITLE AND

9 INTEREST OF THE CITY OF SCRANTON IN THE RIGHT-OF-WAY OF

10 A PORTION OF WRIGHT COURT IN THE CITY OF SCRANTON, AS

11 MORE PARTICULARLY DESCRIBED ON THE MAP ATTACHED HERETO.

12 MR. DIBILEO: What's the recommendation

13 of the chairperson for the committee on public works?

14 MR. POCIUS: I move for final adoption

15 of 7-N, formerly 6-F.

16 MR. COURTRIGHT: Seconded.

17 MR. DIBILEO: On the question? Is

18 there anyone that would like to comment on 7-N,

19 formerly 6-F? If not, and if there's no further

20 questions, roll call, please, Neil.

21 MR. COOLICAN: Mr. McTiernan.

22 MR. McTIERNAN: Yes.

23 MR. COOLICAN: Mrs. Evans.

24 MS. EVANS: Yes.

25 MR. COOLICAN: Mr. Pocius.

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1 MR. POCIUS: Yes.

2 MR. COOLICAN: Mr. Courtright.

3 MR. COURTRIGHT: Yes.

4 MR. COOLICAN: Mr. DiBileo.

5 MR. DIBILEO: Yes. I hereby declare

6 Item 7-N, formerly 6-F, legally and lawfully adopted.

7 MS. GARVEY: 7-0, which was formerly

8 6-G, FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR
9 ADOPTION - FILE OF COUNCIL NO. 171, 2005 - AN ORDINANCE
10 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY
11 OFFICIALS TO EXECUTE AND DELIVER A DEED OR DEEDS OF
12 EASEMENT TO THE COMMONWEALTH OF PENNSYLVANIA,
13 DEPARTMENT OF GENERAL SERVICES, CONVEYING PERMANENT AND
14 TEMPORARY EASEMENTS UPON PROPERTY ON PENN AVENUE, GREEN
15 RIDGE STREET, CAPOUSE AVENUE, MONSEY AVENUE, MARION
16 STREET, SANDERSON AVENUE AND GLENN STREET, LEGAL
17 DESCRIPTIONS OF WHICH ARE ATTACHED AS EXHIBIT A AND
18 MAPS OF WHICH ARE ATTACHED AS EXHIBIT B, IN FURTHERANCE
19 OF A FLOOD CONTROL PROJECT TO CONTROL FLOODING ALONG
20 CERTAIN STREAMS WITHIN THE CITY

21 MR. DIBILEO: As chairperson for the
22 committee on rules, I recommend final passage of
23 Item 7-O.

24 MR. POCIUS: Seconded.

25 MR. DIBILEO: Is there anyone that

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1 would like to comment on 7-O, formerly 6-G? If not,

2 and if there's no further questions, roll call, please,

3 Neil.

4 MR. COOLICAN: Mr. McTiernan.

5 MR. McTIERNAN: Yes.

6 MR. COOLICAN: Mrs. Evans.

7 MS. EVANS: Yes.

8 MR. COOLICAN: Mr. Pocius.

9 MR. POCIUS: Yes.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Yes.

12 MR. COOLICAN: Mr. DiBileo.

13 MR. DIBILEO: Yes. I hereby declare

14 Item 7-O legally and lawfully adopted.

15 And for one last time, seeing no

16 further business on the agenda, I want to wish everyone

17 a wonderful holiday season and a happy new year, and

18 I'll entertain a motion we adjourn.

19 MR. COURTRIGHT: So moved.

20 MR. POCIUS: Second.

21 MS. EVANS: And a wonderful holiday

22 season, a happy and safe one to all of you.

23 MR. POCIUS: I'm old fashioned,

24 Merry Christmas, and to those of you, Happy Holidays.

25 MR. DIBILEO: And we are adjourned, and

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1 thank you.

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3 (MEETING WAS CONCLUDED.)

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1 C E R T I F I C A T E

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3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

5 notes taken by me on the hearing of the above cause and

6 that this copy is a correct transcript of the same

7 to the best of my ability.

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LISA M. GRAFF, RMR

11 Official Court Reporter

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