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COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Monday, March 9, 2015

TIME:

7:00 P.M.

LOCATION:

DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

C O U N C I L M E M B E R S :

MICHAEL MCHALE, President

PAUL NARDOZZI, Vice President - absent

SAL VERRASTRO

TIMOTHY BURKE

CAROL SCRIMALLI

THOMAS HALLINAN

MICHAEL DEMPSEY

THOMAS P. CUMMINGS, Esquire, Solicitor - absent

MARIA McCOOL, RPR
OFFICIAL COURT REPORTER

1 (Pledge of Allegiance.)

2
3 MR. BURKE: Mike, I was wondering if
4 we could have a moment of silence for
5 Mr. Cummings and James Gruttadauria.

6
7 (Moment of Silence.)

8
9 MR. MCHALE: Thank you. You took it
10 out of my mouth, Timmy. Mr. Cummings isn't
11 here tonight. His father passed away suddenly
12 yesterday. He had sent me a brief statement to
13 read into the record if you'll allow me to do
14 so:

15 Dear, Mr. McHale, as you know, my
16 father passed away Sunday afternoon. While the
17 loss is enormous I take this time to thank you
18 at the public Council meeting and of record
19 convey my thoughts and gratitude for the
20 immediate professional and very kind service of
21 the Dunmore Fire Department, the Dunmore Police
22 Department, and the Pennsylvania Ambulance
23 crew.

24 They provided a degree of service
25 that we never want to need but thank God for

1 when the need arises. And they are well
2 prepared and on scene in moments. My sincere
3 appreciate, Thomas Cummings, Jr.

4 Obviously he's in all of our
5 thoughts and prayers tonight. He's obviously
6 not going to be with us. So we're on our own
7 tonight. But I had the pleasure to know
8 Mr. Cummings pretty well. And when I started
9 my business several years ago, he wanted to
10 take me to lunch to give me some words of
11 wisdom that I could tell you sit with me every
12 day.

13 And, you know, his passing -- he's a
14 wealth of knowledge that he worked for the IRS
15 for more years than he probably wanted anybody
16 to know and just a great, great professional
17 man. So, Tommy, is in our thoughts. So I'm
18 going to move on with the roll call. Mrs.
19 Scrimalli.

20 MS. SCRIMALLI: Present.

21 MR. MCHALE: Mr. Burke.

22 MR. BURKE: Present.

23 MR. MCHALE: Mr. Verrastro.

24 MR. VERRASTRO: Present.

25 MR. MCHALE: Mr. Dempsey.

1 MR. DEMPSEY: Present.

2 MR. MCHALE: Mr. Hallinan.

3 MR. HALLINAN: Here.

4 MR. MCHALE: Mr. Nardozzi is absent
5 tonight and Mr. McHale is here. Go onto number
6 three, public comment on agenda items. Would
7 anybody like to speak on agenda items tonight?

8

9 (No response.)

10

11 MR. MCHALE: Seeing none, number
12 four, motion to approve the minutes.

13 MR. VERRASTRO: I'll make that
14 motion.

15 MR. BURKE: Second.

16 MR. MCHALE: I have a motion and a
17 second. On the question. All those in favor
18 signify by saying aye.

19 ALL MEMBERS: Aye.

20 MR. MCHALE: Opposed?

21 (No response.)

22 MR. MCHALE: The ayes have it and so
23 moved. Number five, motion to approve and pay
24 open bills.

25 MS. SCRIMALLI: I'll make that

1 motion.

2 MR. HALLINAN: I'll second it.

3 MR. MCHALE: I have a motion and a
4 second. On the question. All those in favor
5 signify by saying aye.

6 ALL MEMBERS: Aye.

7 MR. MCHALE: Opposed?

8 (No response.)

9 MR. MCHALE: The ayes have it and so
10 moved.

11 Mr. Hetman from Lackawanna County is
12 he here with us tonight? I don't think so.
13 Mr. Duncan, please.

14 MR. DUNCAN: Gary Duncan, 117 Barton
15 Street. I'll be really very brief tonight.
16 Vito, I left a voicemail for Joe Lorince if you
17 are talking to him tomorrow if you could ask
18 him to give me a call back. I have two issues
19 that came up during the week and I want to talk
20 to him before I spoke to the people directly.

21 And then if anybody could give me
22 updates my understanding is for Mrs. Shane that
23 the light is now working at 1339 Adams.
24 Ferguson and Buenzli Court, do we have any
25 updates on those?

1 MR. RUGGIERO: As of Friday they
2 were all fixed.

3 MR. DUNCAN: Okay. And then the
4 other concern at the time was about the
5 speeding down by the schools. And I continue
6 to get messages down in the elementary and the,
7 you know, Dunmore campus about people speeding
8 on the property and those things.

9 So I just want to put it out there
10 for us because I continue to get those
11 messages. And then just that the next Dunmore
12 Neighborhood Watch meeting is 3/16. It's March
13 16. It will be a week tonight, 7:00 in the
14 community room. Certainly everybody is
15 welcome. That's it.

16 MR. MCHALE: Thank you, Mr. Duncan.

17 MS. SCRIMALLI: Thank you.

18 MR. MCHALE: Mr. Valvano.

19 MR. VALVANO: Good evening, Council,
20 David Valvano from Representative Farina's
21 Office. Just a couple items tonight. Let
22 everybody know April 9th Representative Farina
23 will be conducting a town hall meeting on the
24 proposed natural gas plant being proposed in
25 Jessup. That will be 6:00 p.m., on April 9th

1 at the Jessup Hose Company Number one, if
2 anybody wants to come and get some information
3 about that proposed plant.

4 April 17th, Representative Farina
5 will be having a free shredding event here at
6 the Dunmore Community Center from 10 until
7 noon.

8 MR. MCHALE: I laugh because I
9 scheduled one for April 11th. But we can
10 schedule another time. I'll call your office.
11 We'll talk about it.

12 MR. VALVANO: All right. And May
13 21st, I know it's going ahead, but
14 Representative Farina will be having a senior
15 fair here from 10 until 2. And also a reminder
16 for the residents, the first and third
17 Wednesday of every month we have a
18 representative here from Medicare that could
19 answer any questions that any seniors would
20 have on Medicare.

21 The third Friday of every month we
22 have a representative from the VA to discuss
23 Veteran's benefits. And that's all I have.
24 And our condolences to the Cummings family.

25 MR. MCHALE: Thank you. Move on to

1 number nine, public comment on any items.
2 Would anybody like to address Council tonight?

3 MR. HUNT: Council members, Greg
4 Hunt, 201 West Drinker Street in Dunmore. My
5 question is addressed to you guys individually,
6 as a whole, however you want to answer it.

7 What is your stance on the sale,
8 privatization, or lease of the Scranton Sewer
9 Authority?

10 MR. MCHALE: Well, I first of all,
11 we usually don't allow polling of Council. You
12 guys can answer at will obviously. But I just
13 for a matter of record because we've stopped
14 before. I do sit on the Board now as of two
15 months ago.

16 I stated publicly and I'm not going
17 to change my mind, my vote as a Board member of
18 the Scranton Sewer Authority will be based on
19 the majority of this Council whether or not I
20 agree with it or not. But I could tell you my
21 personal opinion on it.

22 I don't want to see anything happen
23 with that Sewer Authority that is going to
24 affect our taxpayers. What I mean by that is,
25 inevitably if we sell the Sewer Authority in my

1 opinion what will happen is obviously it will
2 go into private industry. They're going to
3 pass on the cost of buying it to the residents
4 of Dunmore. We got our financial house in
5 order.

6 So I just don't want another form of
7 taxation coming onto our taxpayers. That's my
8 number one goal. So to answer your question
9 directly I'm against the sale of the Scranton
10 Sewer Authority. Anybody else?

11 MR. HALLINAN: I have no problem
12 answering you either. I'm totally against the
13 sale. I could see a lease. I could see, you
14 know, obviously it's not going to stay status
15 quo. We're only one vote.

16 But I'm totally against the sale and
17 I'm on record of saying it. I have no problem
18 with that. I think somebody told me once or I
19 heard it somewhere that Allentown got into a
20 nice deal with the lease and that actually
21 saved their town. So if we could look into
22 something like that where there would be an
23 open bidding --

24 MR. HUNT: In that lease -- not to
25 cut you off but there was a project labor

1 agreement clause. I looked into that as well.
2 Nobody lost their jobs. And I guess it's been
3 working really good for them.

4 MR. HALLINAN: Yeah, and that's the
5 last thing we want to do is see anybody lose
6 their job, you know, so you guys do a heck of a
7 job. I've seen, you know, the results of what
8 you guys do. And, you know, I'm totally for
9 the lease over the sale if something has to be
10 done, you know, so that's where I stand.

11 MR. DEMPSEY: Same.

12 MR. MCHALE: Clarify mine, I'm not
13 for either --

14 MR. HUNT: Okay.

15 MR. MCHALE: -- a lease or sale
16 personally.

17 MR. HUNT: One more quick question
18 on this --

19 MR. VERRASTRO: I don't want a
20 lease. I don't want a sale. We tried a lease.
21 That didn't work. I definitely don't want a
22 sale. I think that's -- it's its own board,
23 its own entity. And it should stay that way.
24 And maybe someday we'll be able to draw from it
25 as individuals the way it is.

1 MR. HALLINAN: And let me --

2 MR. VERRASTRO: So I'm 100 percent
3 against --

4 MR. HALLINAN: I wouldn't want -- if
5 we had that option of no sale at all I'm with
6 you. If anything that they should have learned
7 from is the one time sale of like the Muni or
8 anything. It's a one time cash influx and
9 then it's gone.

10 And that's what's going to happen.
11 And I don't want to see that happen and lose
12 jobs, you know, that are good jobs.

13 MR. HUNT: Plus, I mean, it will
14 affect the rate payers as well.

15 MR. HALLINAN: Absolutely. And if
16 anybody doesn't think it's going to is silly.

17 MR. MCHALE: And no doubt is and the
18 City of Scranton is paying for the last mistake
19 by taking out debt and so is the Borough of
20 Dunmore. We're still paying off the last
21 mistake that was made here because the money
22 was obviously spent.

23 MR. BURKE: You know my answer on
24 that. It was one of the reasons I ran for
25 Council. I'm not here to bail out Scranton.

1 We seen what privatization did. All it did is
2 increase our rates 48 percent right off the
3 bat. And when majority was changed we got out
4 of that contract right a way to protect the
5 Dunmore rate payers. Scranton had to follow
6 suit because it took three at privatization --
7 three votes.

8 It took Dunmore Council's vote as a
9 whole, Scranton Sewer Authority Board as whole,
10 and it took the Mayor's vote. Sale, I've asked
11 Tommy when it first came up I haven't got an
12 answer yet on --

13 MR. HUNT: Can I interrupt you for a
14 second? What's the legality? Do you guys
15 know? Can Dunmore stop a lease, a sale, or
16 something like that? I thought they need --
17 you might know more about it.

18 MR. MCHALE: Actually forgive me,
19 I'm there 60 days if that.

20 MR. HUNT: Yeah, okay. All right.

21 MR. MCHALE: But to my knowledge,
22 it's the Board and Timmy speaks to we having a
23 bigger voice than I thought so I will yield to
24 him and obviously Tommy Cummings and the
25 attorneys for the Sewer Authority.

1 I think you could see my personal
2 and most of the people who spoken so far where
3 our thoughts and our goals are seems somewhat
4 aligned with yours.

5 MR. HUNT: Yeah, I was just
6 wondering if we're all on the same page, do you
7 know what I mean, if there was a way for
8 Dunmore to roadblock this.

9 MR. MCHALE: If there is.

10 MR. HUNT: If there is. Right and
11 that would be Mr. Cummings that would be more
12 into that.

13 MR. MCHALE: And forgive me for
14 doing that but, you know, if I had the answer I
15 would tell you. But if there is a way to do
16 something for us to slow it or block it, you
17 know, we're not there to be roadblocks because
18 we are four to one down there.

19 MR. HUNT: Right.

20 MR. MCHALE: But we'll do everything
21 we can.

22 MR. VERRASTRO: Are you going to
23 address witness this with Scranton at all?

24 MR. HUNT: Pardon me?

25 MR. VERRASTRO: Are you going to

1 address witness this with Scranton at all?

2 MR. HUNT: Yeah, I'd like to, yes.

3 MR. BURKE: Like I said, I brought
4 this up to Tommy before when this first was
5 coming out in the paper. And I'm still waiting
6 for the answer. I know what happens in
7 privatization. We do get a vote. A sale I
8 don't know. I'm still waiting for an answer
9 from Tom. Well, Tom's obviously is not here
10 for good reasons.

11 But I think that's the answer we
12 have to get is what is -- how do we stand on a
13 sale legally. Could we stop a sale? I know
14 privatization Dunmore Council's vote could stop
15 privatization. A sale, I don't know. I'm
16 still waiting for a legal answer. I think the
17 sooner we get it the better because it seems
18 like they're moving fast.

19 MR. HUNT: Right.

20 MS. SCRIMALLI: Greg, I'm also
21 against it. I'd like to let you know that's
22 how I stand.

23 MR. HUNT: Great. Thank you guys
24 very much.

25 MR. MCHALE: Thank you.

1 MR. HALLINAN: Thank you, Greg.

2 MR. MCHALE: Anybody else? Please.

3 MR. AMICO: Vince Amico, 17 of
4 Adams. Just I'm going to ask a very easy
5 question. Am I allowed to ask Mr. Valvano a
6 question from the podium or if that -- if it's
7 not okay I could do it later.

8 MR. MCHALE: You can. Go ahead,
9 Vince.

10 MR. AMICO: Do you plan on -- does
11 Representative Farina plan on having a meeting
12 regarding the landfill like we're having one
13 for the power plant?

14 MR. VALVANO: He's waiting to see
15 because the public comment period has been
16 extended.

17 MR. AMICO: Right.

18 MR. VALVANO: He's waiting to see if
19 DEP is going to hold another public meeting or
20 not. The reason Representative Farina is doing
21 the town hall meeting is because Jessup Borough
22 is under a time constraint for 60 days to
23 approve a land development or not.

24 There is a lot of information,
25 misinformation out with the residents of the

1 Mid Valley about that plant. So that's why he
2 is doing the town hall meeting to bring a panel
3 together, some independent experts to speak on,
4 you know, the proposed natural gas plant and
5 get some information out there to the
6 residents.

7 And it was only because Jessup is
8 under that 60 day time constraint to approve or
9 deny the land development request. There's
10 another thing, that they also stepped up and
11 asked for a curative amendment that has to be
12 voted on by April 15th I think it is. That's
13 why we scheduled it for April 9th.

14 MR. AMICO: Thank you very much.

15 MR. MCHALE: Anybody else? Last
16 chance.

17 (No response.)

18 MR. MCHALE: All right. Move onto
19 number ten, public officials. Attorney
20 Dempsey, do you want to start us off tonight?

21 MR. DEMPSEY: Yes, I just want to
22 give my sincere condolences to Mr. Cummings. I
23 had the pleasure of meeting him multiple times.
24 He was a great guy and my condolences to the
25 family. That's all I have tonight.

1 MR. MCHALE: Mr. Hal.

2 MR. HALLINAN: Again, my condolences
3 to Tom Cummings and his family. Grew up with
4 the Cummings. Tom Cummings I knew my whole
5 life. And they were just -- he was a great man
6 and my condolences to the family.

7 Potholes, if obviously we're
8 patching potholes. With the rain I hope
9 everybody understands as you patch a pothole
10 and ran hits and traffic, it kicks back up. So
11 when somebody says, you know, hey, I complained
12 about a pothole and Didge says we patched it
13 and then we come back in after a rain storm and
14 it's gone.

15 Well, that's just part of the
16 process. They are only temporary patches. And
17 we will get the hot stuff when the -- hopefully
18 the weather will break shortly. But as you
19 could see, this ran is really going to kick the
20 crap out of the roads now. And they are
21 unthawing as we speak, you know, a lot of the
22 roads are a mess.

23 Just bear with us on the potholes.
24 And the guys I saw them out patching today.
25 They are doing a great job. So thank you.

1 MR. MCHALE: Mr. Verrastro.

2 MR. VERRASTRO: Again, my
3 condolences to the Cummings family. I met
4 Mr. Cummings a few times. And he was always a
5 gentleman. I'm sure the family is going
6 through a lot. Something that we're not -- a
7 lot of people aren't aware of, he was one of
8 the people that -- he was very big in the
9 Dunmore Volunteer Fire Department as far as one
10 of the four branches of it.

11 He was very involved in it. And as
12 you get older he couldn't participate as much
13 but he was still an officer. Vito, maybe we
14 should check to see do we -- with the fire
15 department about putting something up for him
16 in that aspect. Other than that, I'd like to
17 thank everybody for being here tonight.

18 MR. MCHALE: Mr. Burke.

19 MR. BURKE: I'm just the same too.
20 I spent many childhood days down at Mr.
21 Cummings' house growing up with Tommy and many
22 days at the bar Jimmy Gruts which I really
23 enjoyed. I'm going to miss both of them, two
24 really good men. And it's really sad. Thank
25 you.

1 MR. MCHALE: Mrs. Scrimalli.

2 MS. SCRIMALLI: Yes, I would also
3 like to extend my sympathies to the Cummings's
4 family and to Jimmy Grut's family. Sadness for
5 everyone there concerned. And that's all I
6 have for tonight. Oh, and excuse me one more
7 thing.

8 MR. MCHALE: Sure. Please.

9 MS. SCRIMALLI: Great job with the
10 potholes, Didge. So thank you so much. Please
11 tell the guys, okay.

12 MR. MCHALE: I apologize, Vito, do
13 you have anything tonight?

14 MR. RUGGIERO: Just the website
15 progress, five vendors and meeting with the
16 interested parties now and Council will make
17 their final decision. Also Dunmore Borough and
18 the Dunmore Community Center is now on Twitter
19 to try to get some information out that way as
20 well.

21 Obviously you know that we're
22 patching potholes. I'm glad it's being
23 noticed. And Didge is going to keep doing that
24 with some extra guys and some extra time
25 obviously to get caught up. So he'll continue

1 to do that. And hopefully we have our last of
2 our salts so hopefully we won't need that
3 anymore.

4 We're at about 66 ton. And then
5 we'll be at our cap for this year. So
6 hopefully we won't need that anymore. That's
7 it and the Cummings family as well. It's hard
8 going last when you have to speak regarding
9 something of that nature. But our thoughts and
10 prayers are all with Mr. Cummings and his
11 family.

12 MR. MCHALE: Mr. Kearney.

13 MR. KEARNEY: I grew up across from
14 Mr. Cummings. I knew their family very well.
15 I share my condolences with the rest of you.
16 That's all.

17 MR. MCHALE: Didge.

18 MR. JUDGE: I have nothing to say
19 except for Tommy Cummings. I grew up across
20 the street from him too.

21 MR. HALLINAN: It's a busy block.
22 We were all there.

23 MR. MCHALE: You want to go again?

24 MR. HALLINAN: I just want to -- I
25 forgot to say one more thing. We sent out the

1 recycling calendar and it was sponsored by
2 DePietro's Pharmacy. They paid for printing,
3 mailing. And it's something that we want to
4 look forward to maybe next year if more
5 businesses want to get involved so that, you
6 know, maybe we could have -- I think it's the
7 Borough of Olyphant has a calendar and we could
8 mimic that.

9 And it's not for profit for the
10 Borough. It's just -- it will support our
11 businesses. People will see it -- the
12 taxpayers and think more of going to local
13 businesses than going to somewhere else because
14 let's support our local people.

15 And, you know, I think a calendar is
16 a good advertisement. Everybody sees it every
17 day and it's the recycling or however we work
18 it out, but I thank Tommy DePietro for
19 sponsoring that for us and doing what we could
20 do. Thank you.

21 MR. MCHALE: Yeah, it should be
22 noted that we didn't solicit Tommy to -- Tommy
23 DePietro to do this. We didn't send out the
24 calendar this year because our -- we didn't do
25 a garbage fee of \$150 so it didn't go out with

1 those.

2 MR. HALLINAN: How it happened was I
3 went over to a pick up a prescription and I put
4 some calendars on his counter because I said
5 we're not mailing them out this year and for
6 the citizens to pick up as they come in and
7 out.

8 And he said -- he just stepped up to
9 the plate and he said, hey, why don't we work
10 something out together? And I said, fine. You
11 want to take the ball and run with it and we
12 did that. And Vito was very instrumental in,
13 you know, putting the calendar together.

14 And he approved it. And he's paying
15 for everything which I think is a great thing.
16 He's a very community minded guy. And I thank
17 Tommy DePietro again for doing that. But
18 that's how it happened.

19 MR. MCHALE: Absolutely. I have
20 nothing else. I'll look for a motion to
21 adjourn.

22 MR. BURKE: Mike, can I say one more
23 thing?

24 MR. MCHALE: Mr. Burke, please.

25 MR. BURKE: Could we ask for help

1 from one of our solicitors either Tommy or
2 Billy or is it Mark just on legal advice on the
3 Sewer Authority? Can we have them try to find
4 legal advice on what would happen on a sale if
5 Dunmore Council has any say?

6 MR. MCHALE: Absolutely. As you
7 said, I know you brought it up before so --

8 MR. BURKE: Thank you.

9 MR. MCHALE: Anybody else?

10 (No response.)

11 MR. MCHALE: Look for a motion to
12 adjourn?

13 MR. DEMPSEY: Motion.

14 MR. VERRASTRO: Second.

15 MR. MCHALE: Second. All in favor.

16 ALL MEMBERS: Aye.

17 MR. MCHALE: We're adjourned.

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C E R T I F I C A T E

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