

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Monday, September 14, 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

MARIA McCOOL, RPR
OFFICIAL COURT REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Pledge of Allegiance.)

MR. HALLINAN: Can I ask you all to keep standing for one moment and please let's remember a good Dunmorean who just passed away, Harry McGrath. Ask everybody to keep him in your prayers and his family.

(Moment of Silence.)

MR. MCHALE: Thank you.

ATTY. CUMMINGS: Mrs. Scrimalli.

MS. SCRIMALLI: Present.

ATTY. CUMMINGS: Mr. Burke.

MR. BURKE: Present.

ATTY. CUMMINGS: Mr. Verrastro.

MR. VERRASTRO: Present.

ATTY. CUMMINGS: Mr. Dempsey. Mr. Hallinan.

MR. HALLINAN: Here.

ATTY. CUMMINGS: Mr. Nardozzi. Mr. McHale.

MR. MCHALE: Here.

ATTY. CUMMINGS: Public comment on agenda items.

1 (No response.)

2 ATTY. CUMMINGS: Before we commence
3 there are two additions to the agenda that did
4 not make the printing. The first is the
5 approval of IHM land development plan final
6 approval and a motion to approve collection
7 fees.

8 MR. VERRASTRO: Will they be number
9 10 and 11? How are you going to --

10 ATTY. CUMMINGS: I have them in as
11 5A and 5B.

12 MR. VERRASTRO: Okay. Thank you.

13 ATTY. CUMMINGS: Next is a motion to
14 approve the minutes.

15 MR. MCHALE: First, Tommy, does
16 anybody have any public comment on agenda items
17 first? Anybody like to speak about anything on
18 the agenda?

19 (No response.)

20 MR. MCHALE: Sorry, Tom. Motion to
21 approve the minutes. Do I have a motion?

22 MS. SCRIMALLI: I'll make that
23 motion.

24 MR. HALLINAN: I'll second.

25 MR. MCHALE: I have a motion and

1 second. On the question.

2 MR. VERRASTRO: On the question, Mr.
3 President, I'm going to abstain because I
4 wasn't at the last meeting.

5 MR. MCHALE: Okay. Anybody else on
6 the question?

7 (No response.)

8 MR. MCHALE: All those in favor
9 signify by saying aye.

10 MR. HALLINAN: Aye.

11 MR. BURKE: Aye.

12 MR. MCHALE: Aye.

13 MS. SCRIMALLI: Aye.

14 MR. MCHALE: Opposed?

15 (No response.)

16 MR. MCHALE: Abstentions.

17 MR. VERRASTRO: Aye.

18 ATTY. CUMMINGS: Number five, a
19 motion to approve and pay the open bills.

20 MR. BURKE: I'll make that motion.

21 MS. SCRIMALLI: I'll second that.

22 MR. MCHALE: I have a motion and a
23 second. On the question.

24 (No response.)

25 MR. MCHALE: All those in favor

1 signify by saying aye.

2 ALL MEMBERS: Aye.

3 MR. MCHALE: Opposed?

4 (No response.)

5 MR. MCHALE: The ayes have it and so
6 moved.

7 ATTY. CUMMINGS: Item number 5A,
8 motion to approve the IHM land development plan
9 final.

10 MR. MCHALE: Do I have a motion?

11 MR. HALLINAN: I'll make that
12 motion.

13 MS. SCRIMALLI: I'll second that.

14 MR. MCHALE: A motion and a second.
15 On the question.

16 (No response.)

17 MR. MCHALE: I think Tommy may have
18 explained it earlier. This is a formality for
19 Marywood College for one of their development
20 projects that has been reviewed, Joe.

21 MR. LORINCE: Planning Commission
22 reviewed and all comments were addressed.

23 MR. MCHALE: Okay. As with the
24 Lackawanna County Planning as well?

25 MR. LORINCE: Yes.

1 MR. MCHALE: Anybody else on the
2 question?

3 (No response.)

4 MR. MCHALE: 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 ATTY. CUMMINGS: Item 5B, is a
12 motion to approve the Borough of Dunmore
13 Solicitor Fee Schedule for collection matters.
14 Mr. Hallinan had requested an update on the
15 delinquent refuse account.

16 There are about 500 from 2014 alone.
17 By case law, we're required to have approve a
18 set fee schedule for the matter commencing with
19 opening the file, issuing the first delinquency
20 letter through final lien satisfaction and
21 execution of judgment.

22 It's -- the fee schedule is lower
23 than a lot of collection agencies. It's on
24 parity with the smaller communities in the
25 area. And it basically assures everyone is

1 treated fairly and the same because everyone
2 will get the exact same fee.

3 MR. MCHALE: Looking for a motion.

4 MR. HALLINAN: I'll make that
5 motion.

6 MS. SCRIMALLI: I'll second that.

7 MR. MCHALE: I have a motion and a
8 second. On the question.

9 (No response.)

10 MR. MCHALE: All those in favor
11 signify by saying aye.

12 ALL MEMBERS: Aye.

13 MR. MCHALE: Opposed?

14 (No response.)

15 MR. MCHALE: The ayes have it and so
16 moved.

17 ATTY. CUMMINGS: Item number six is
18 a motion to accept Ordinance 2015-3 approving
19 the Intergovernment Cooperative Implementation
20 Agreement for the Scranton-Abington Planning
21 Association Regional Plan known as SAPA.

22 MS. SCRIMALLI: I'd like to make
23 that motion.

24 MR. MCHALE: I have a motion. Do I
25 have a second?

1 MR. BURKE: I'll second.

2 MR. MCHALE: I have a motion and a
3 second. On the question.

4 (No response.)

5 MR. MCHALE: All those in favor
6 signify by saying aye.

7 ALL MEMBERS: Aye.

8 MR. MCHALE: Opposed?

9 (No response.)

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

12 ATTY. CUMMINGS: Item number seven,
13 is a motion to move forward with the
14 Pennsylvania Department of Transportation Five
15 Leg Earmark Project at Electric Street. This
16 area specific project will include the
17 installation of all new street lights and mast
18 arms along with reconfiguration of the timing
19 of the lights to improve the movement of the
20 traffic in this area.

21 The entire intersection will be
22 re-evaluated with regard to turning lanes and
23 traffic patterns. Where allowable the turning
24 lanes will be added and the entire intersection
25 repaved and restriped accordingly.

1 New ADA curb ramps, curbing and
2 walks will be installed as required. All work
3 will be within the existing right-of-way and no
4 existing properties impacted.

5 MR. HALLINAN: I make that motion.

6 MR. MCHALE: Do we have a second?

7 MR. VERRASTRO: I'll second it.

8 MR. MCHALE: I have a motion and
9 second. On the question. Quickly on the
10 question if anybody is interested in this, this
11 is down near the school where, I guess, it's
12 four-way stop in an odd configuration there.
13 But anybody who has children who has driven
14 them to school understands the issues down
15 there. So this is a matching grant, Vito?

16 MR. RUGGIERO: 80/20.

17 MR. MCHALE: 80/20 matching grant.
18 The 80 percent is \$280,000 from the state's
19 end. And we'll have to match 20 percent of
20 that. So we're looking probably a year down
21 the road, Vito?

22 MR. RUGGIERO: Yes. This is just a
23 grant that's renewed and revitalized from years
24 ago. We found a few years back as it stays
25 area specific. So the enhancements of this

1 area strictly with this grant money. And like
2 you said, President McHale, it's 80 percent
3 that we're going to obtain from this earmark
4 project. It's already been earmarked for the
5 Borough of Dunmore.

6 MR. MCHALE: Thank you. Anybody
7 else on the question?

8 (No response.)

9 MR. MCHALE: I have a motion and a
10 second. On the question.

11 (No response.)

12 MR. MCHALE: All those in favor
13 signify by saying aye.

14 ALL MEMBERS: Aye.

15 MR. MCHALE: Opposed?

16 (No response.)

17 MR. MCHALE: The ayes have it and so
18 moved.

19 ATTY. CUMMINGS: Item number eight,
20 is a motion to award the contract for the
21 Dunmore Borough Firehouse Addition Project to
22 Perry's General Contracting.

23 MR. VERRASTRO: I'll make that
24 motion.

25 MR. MCHALE: We have a motion. Do

1 we have a second?

2 MR. HALLINAN: I'll second it.

3 MR. MCHALE: We have a motion and a
4 second. On the question. Quickly on the
5 question, this was publically bid. I believe
6 seven or eight contractors attended the
7 opening. I was -- the opening of the bids at
8 the Borough Building. I was there as well as
9 Joe Lorince was there and the two engineers who
10 ran the meeting.

11 Mr. Perry's contracting was the
12 obvious low bid better -- lowest responsible
13 bidder and lowest bidder. So I guess that's --
14 do you have anything to add on that?

15 MR. VERRASTRO: This was the project
16 that we got the grant money for. Originally
17 the grant is 345,000. And I believe the low
18 bid came in at 426,000. And we have the
19 available funds that we don't have to take out
20 a loan for the rest of the money for the
21 project.

22 So I see it as a win for us because
23 the building is in deplorable condition and
24 needs a ton of work. That was the whole
25 reason for going for this grant to begin with.

1 Plus, it will make it open to us as far as in
2 the future whenever we start dropping firemen
3 and we have to hire again. It's female
4 friendly because of the way the sleeping
5 quarters and the bathrooms will be set up.

6 If we have a female firefighter that
7 applies for the job, we'll have no restrictions
8 in that area. And it will open it up to us
9 possibly getting different shift schedules in
10 the future contractually -- we were close at
11 one time to a different schedule that would
12 have saved the Borough a lot of money.

13 But with the condition of the
14 building and only having one bathroom facility
15 that didn't have a shower in it. They
16 weren't -- they were reluctant to do it at that
17 time. So there's a lot of possibilities when
18 this opens up.

19 MR. MCHALE: Yeah, exactly what Sal
20 said, if anybody has not been in the firehouse
21 I'd ask you to call and take a tour. It's a --
22 it's eye opening. So we're pretty proud of
23 getting this grant and being able to bring this
24 project to fruition after talking about it for
25 the better part of the five years that I'm

1 here. So that's all I have. Anybody else on
2 the question?

3 (No response.)

4 MR. MCHALE: 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 ATTY. CUMMINGS: Number nine is
12 motion to award the contract for the Community
13 Center gym floor sanding, painting and sealing
14 to Miller Flooring.

15 MR. MCHALE: I'll look for a motion.

16 MR. HALLINAN: I'll make that
17 motion.

18 MS. SCRIMALLI: I'll second that.

19 MR. MCHALE: I have a motion and a
20 second. On the question.

21 (No response.)

22 MR. MCHALE: All those in favor
23 signify by saying aye.

24 ALL MEMBERS: Aye.

25 MR. MCHALE: Opposed?

1 (No response.)

2 MR. MCHALE: The ayes have it and so
3 moved.

4 ATTY. CUMMINGS: Next number ten,
5 Gerard Hetman Coordinator, Lackawanna County
6 Department Community Relations.

7 MR. MCHALE: I don't see Mr. Hetman
8 here tonight.

9 ATTY. CUMMINGS: Mr. Farina's office
10 has been moved under public officials as
11 necessary. We're now open for public comment
12 on non agenda items.

13 MR. MCHALE: Anybody like to address
14 Council tonight?

15 MR. DUNCAN: Just a few things. I
16 work for Traditional Home Health and Hospice.
17 I talked to some folks that are here tonight
18 about this already. One of our nurses, Donna
19 Seymour, her son was starting back for his
20 sophomore year at Penn State.

21 They were about a half hour ahead of
22 him. He was behind them when they were moving.
23 They made it all the way back to Penn State.
24 They got a call that the son was life-flighted
25 to Geisinger Danville. He fell asleep at the

1 wheel and he rolled his car six times. He's
2 trached. He's vented. He was in a medically
3 induced coma. They removed the medication.
4 He's still in a coma.

5 Traditional Home Health is over at
6 the corner of Tripp and Drinker. I'm sure you
7 all know where we're located. I talked to
8 Chief Marchese Friday and Rich Barth. And they
9 are going to try to help us. We're going to
10 get the street tied off.

11 We're going to have a benefit for
12 this guy October the 4th from one to four
13 because the medical expenses are just
14 unbelievable for this family. We get about 15
15 days a year. She's already used up all of her
16 time.

17 People are trying to donate their
18 days left to her and we're still not able to
19 cover it. So financially we're just trying to
20 help her out. They asked me if I could talk to
21 anybody at the Borough. And I said if ever --
22 this is never a good time but this is the time
23 to do it because we have Council tonight.

24 So I have some large posters. I
25 know I talked to Chris if we can get some of

1 these up at the Borough, you know, at the doors
2 and everything. We're just trying to maximize
3 the word. I have it on my Facebook page.

4 I talked to Representative Farina's
5 Office because Dave right away stepped up to
6 the plate. We got -- Dave got it on
7 Representative Farina's page and everything.
8 So I just want to pass this down to Council if
9 you can all take a look at it. I have other
10 posters and stuff in the car.

11 Chris said we can put the big ones
12 up here, right, Chris? And I'll just pass one
13 around to the public if you just want to pass
14 it around and at least take a look at it.

15 MR. VERRASTRO: Gary, this is -- we
16 can advertise this on the website for you also.

17 MR. DUNCAN: If we can do that,
18 thank you. Whatever we can do. I'm just
19 trying to maximize the word. I have it on my
20 Facebook page if you want to share it. We're
21 really just trying to help them. There but for
22 the grace of God. Whatever you can do to help
23 us.

24 I know her. The whole family would
25 appreciate it. If anybody wants any extras let

1 me know. If they have any businesses or
2 anything they could think of where they could
3 get these things up because -- just whatever
4 you could do.

5 MR. RUGGIERO: Do you have that
6 electronically?

7 MR. DUNCAN: Yeah, this is what I
8 have electronically.

9 MR. RUGGIERO: If you could send
10 that to me I'll have it on the Facebook
11 Dunmore home page.

12 MR. DUNCAN: When I get out of here
13 tonight I'll send it to you. And I thank
14 everybody that could help us with this thing.
15 We are having another Dunmore Neighborhood
16 Watch meeting a week tonight, September the
17 21st. Everybody knows it's 7:00, same time,
18 same station. We'll be in this room. So
19 everybody as always, always welcome to attend.

20 When I sent everybody the minutes
21 from the last meeting from the Dunmore
22 Neighborhood Watch meeting, I have Barton and
23 Drinker. It's Church and Drinker. It's the --
24 that light is still out. But it's Church and
25 Drinker. Tom Hallinan is looking at me because

1 he and I talked. We text routinely. How's
2 that. But the N number is correct. It's
3 N46479. But it's Barton and Drinker. It's
4 right in front of Dino's gas station. N as in
5 Nancy, 46479, okay? And that's actually Church
6 and Drinker.

7 MR. HALLINAN: And that's for
8 anybody. If you see a poll that's out just
9 that get that N number and turn it into us at
10 the office. There's no problem with that
11 whatsoever.

12 MR. DUNCAN: And then an update on
13 the crosswalk at the tank. I know you said you
14 were going to talk to them and see what you can
15 find out.

16 MR. HALLINAN: I'll have it for you
17 by your crime watch meeting. The Borough did
18 that and then the state -- they are supposed to
19 come through with plastic tape for the arrows
20 by Turkey Hill crosswalks as it goes down the
21 project. When, I don't know. But I'll get a
22 better date for you.

23 MR. DUNCAN: I know I'm always
24 busting your chops. But you're the guy that I
25 seem to talk to the most. Mr. Genovese will

1 appreciate it.

2 MR. HALLINAN: I understand.

3 MR. DUNCAN: Joe, I'm glad you are
4 here tonight. Green Ridge Street, the Ford
5 Hyland residence, the neighbor is here tonight
6 if you have a chance after the meeting if you
7 could talk to him. He has some concerns about
8 the branches and stuff up there.

9 And the other concern was over
10 Buenzli Court the one house with the
11 collapsing -- the roof in the back. It's the
12 second floor.

13 MR. LORINCE: We sent him letters.
14 He's not responding to us. The next thing we
15 got to do is an inspection of the property. He
16 took a building permit out and everything to
17 fix it. But he never started it. I think his
18 wife is sick.

19 MR. DUNCAN: I got another inbox --

20 MR. LORINCE: Last I knew his wife
21 was sick.

22 MR. DUNCAN: Thanks. I appreciate
23 it. And thanks for everybody and anybody that
24 could help us with --

25 MR. HALLINAN: Mr. Manley's problem

1 with -- I know the Mayor got in touch with
2 Ford Hyland and just no feedback. I think do
3 what we have to. Like, he's ignoring. So --

4 MR. DUNCAN: Thanks.

5 MR. MCHALE: Thank you. Anybody
6 else like to address Council?

7 MS. HALLINAN: Kelly Hallinan, 1723
8 Madison Avenue, Dunmore. I'm not going to read
9 anything tonight. I have a whole different
10 attitude about the whole thing. Now, that all
11 of the minutes are posted finally on the
12 website anyone can go back and where they see
13 Mrs. Hallinan since May if you read it's kind
14 of comical.

15 When I first came I was told to call
16 the police about the problems in the
17 neighborhood, call the police, call the police,
18 get citations. Make sure you get them cited.
19 I did.

20 And then the Borough gave the
21 neighbors my name and my complaint information.
22 And I was harassed and had to go to court.

23 MR. HALLINAN: And not to interrupt,
24 I would think that would be public record
25 anyway.

1 MS. HALLINAN: No, it isn't. It's
2 an exemption from the open records law from the
3 Right to Know Act 708 (b)17.

4 MR. HALLINAN: Okay. I'm sorry, I'm
5 just --

6 MS. HALLINAN: That complaint
7 information submitted to an agency is exempt to
8 protect the person that made the complaint.
9 And also under code, zoning officers are not
10 allowed to reveal the information so that the
11 neighbor could not be retaliated against.

12 So I'm headed back to court because
13 the person that was found guilty appealed it.
14 So now I have to go back to the Court of Common
15 Pleas. Magistrate Ware did make him move. So
16 he's gone if that makes anyone feel better,
17 Magistrate Ware told him he had to leave or
18 that he was going to go to jail for everything
19 that, you know, he did to me.

20 Just so that's clear so anyone that
21 wants to make a complaint you're really not
22 supposed to have to your information let out by
23 the Borough or you suffer retaliation. That's
24 okay. I'm a big girl. I could take it.

25 Also I was told by Mr. Cummings that

1 he had information that records dating back to
2 1980 proved that the house next door to me was
3 three units then. Well, that's impossible.
4 The person that owned the house was in jail.
5 His wife and two kids and himself lived there.

6 It was an attic. I lived there all
7 my life. So this actually if anyone cares to
8 read it is who lived in the house, who owned
9 the house, who rented the house. And they are
10 either Dunmoreans or relatives of Dunmoreans
11 which happen to be all people that I think are
12 friends with all of us that will attest to the
13 fact that there never was a third floor
14 apartment in the house where the person lives
15 that I'm suffering the harassment from and the
16 landlord who gave this person the information.

17 Also if you read back in the minutes
18 you'll see at the first meeting Councilman
19 Nardozzi suggested that I get a neighborhood
20 petition against the illegal zoning going on in
21 my neighborhood. I got a petition from every
22 single family house in the neighborhood that
23 was not on vacation at the time.

24 I presented it at the next meeting
25 and last month at the meeting where I asked

1 what happened to my petition, the Solicitor
2 never saw it and nobody knew where it went. So
3 does anybody know whatever happened to the
4 petition with 30 other signatures of the
5 neighbors of the 1700 block of Madison Avenue?

6 MR. MCHALE: Vito, were you ever
7 given that?

8 MR. RUGGIERO: No, sir.

9 MS. HALLINAN: I'm not going to
10 provide anything else because I really, you
11 know, have an account with Staples now with all
12 the ink with all the things that I provided to
13 Council and stuff and they just seem to
14 disappear.

15 MR. HALLINAN: Who did you give it
16 to?

17 MS. HALLINAN: Council meeting
18 members.

19 MR. HALLINAN: The whole petition?

20 MS. HALLINAN: The whole petition.
21 And I was told that it will be given to the
22 right person, taken care of. And I'd be given
23 an opinion which I didn't get. I did get a
24 letter I've been asking since May -- well,
25 prior to that, the reason it came to Borough

1 Council in May was because Zoning Board would
2 not give me a determination from the zoning
3 officer as to why illegal additions and
4 alterations are being allowed to the single
5 family homes in my block.

6 So I did come to Council this May
7 after having gone three times to zoning in
8 2013. And, yes, a lot of things were
9 addressed. Yes, Council never -- Council did
10 come down and see for themselves. Little
11 things changed due to state inspections that
12 I'm grateful for. But Council shouldn't have
13 had to deal with that.

14 I appreciate it. But you're not
15 getting paid to do that. Other people are
16 getting paid to do that. The only thing that's
17 like the most fantastic thing in Dunmore to me
18 is DPW. Put your garage out, your garbage
19 comes in. It snows your garbage is cleaned up.

20 Didge had to come down to see the
21 month's worth of garbage and the maggots and
22 smell and the drugs, which by the way, there
23 was a resident here at the last meeting that
24 asked if Dunmore would consider or ever have
25 considered adopting the one strike rule.

1 Dunmore passed it in June of 2014. So we do
2 have a one strike rule. So the drugs that were
3 found on the back porch, on the third floor
4 with the month's worth of garbage in the
5 illegal third floor unit, should have been
6 reported and the apartment should have been
7 shut down, which that apartment now is empty
8 because Magistrate Ware made the tenant move.

9 And I did send a letter to the
10 Borough requesting the apartment be shut down
11 unless they could provide me with the
12 appropriate documentation that I've been asking
13 for that I still haven't gotten saying that
14 procedure was followed. And it was done
15 correctly. It is not been. There is no
16 paperwork. I'm not getting the paperwork.

17 I did get an opinion today in the
18 mail from Mr. Cummings and Mr. Lorince. I
19 already had an opinion. I wanted a written
20 determination with the copies of the paperwork
21 of the procedures under Municipality Planning
22 Code of how they were allowed to change after
23 the 2000 ordinance because mind you, I have
24 been in that house every day of my life for 57
25 years.

1 So to tell me there were apartments
2 and houses that weren't and families like the
3 Gurnari and the Kernans with five people in
4 their family, six people in their family lived
5 in a one-bedroom apartment with one bathroom?
6 That didn't happen. Everybody knows that
7 didn't happen.

8 So if we're bored with this, next
9 time I'll come back with the fact that there
10 are still rats and I'm a block away from the
11 elementary center where rumor has it that rats
12 have been found. Rumor. I'm just telling you.
13 We already know they're in my neighborhood. I
14 have pictures.

15 And that -- I will come back with my
16 dog found a vent in the cemetery down below the
17 elementary center at the high school where the
18 grease that gets dumped down that big sewer
19 which I've seen happen, the cafeteria dumps the
20 grease down the vent outside the cafeteria and
21 it rolls right down to the cemetery.

22 And how I know that is my dogs on a
23 walk through cemetery were going into it
24 coming out smelling like a carnival full of
25 grease. So I'm sure the expired people that

1 have been buried there for so many years aren't
2 frying french fries and making this happen.

3 It's coming from somewhere. So if
4 we're all bored with Madison Avenue until
5 something happens like I said it would,
6 something is going to happen. There's been a
7 lot of stuff happening. I'm kind of letting it
8 take its own progression. The neighbors are
9 fighting over parking.

10 People are moving out. You know,
11 it's a transient neighborhood now. The person
12 that was asked to leave by Magistrate Ware was
13 only there three months. The person across the
14 street that was asked to leave was only there
15 two months. There's for rent signs back up
16 there again.

17 Also if I can't get the proper
18 determination procedural code, maybe I'll go
19 back to the people who were denied three-unit
20 apartment buildings. There's a man named Chris
21 Eshelman who owns apartment buildings. He's
22 from Scranton. He was denied to make a two
23 family a 3 family after it burned in the alley
24 behind me.

25 And then Mr. Davenport, I believe

1 he's the owner of Dunmore properties, that's
2 how this all got started. I think everyone got
3 away from how this got started. I got a letter
4 from the Borough to attend a meeting because
5 someone that lived across the street from the
6 home that I'm talking about next to me wanted
7 to keep it as a three unit.

8 Zoning said, no, you can't because
9 that's a single family residential zone. So
10 kind of contradictory. So I'm going to let
11 everything, you know, go as it's going until
12 something comes out or something terrible
13 happens unfortunately. But I'm not going to
14 invest any more money into it.

15 It already cost me \$500 deductible
16 on my car. My car got hit. No police report.
17 I had to go to court. My husband and daughter
18 had to miss work. I've had to put sound
19 barrier window treatments up. I've had to put
20 shades up to keep the creepers that lived next
21 door from staring at my daughter because it's
22 only 5 feet away from my house which is against
23 coded ordinance.

24 And I've also had to pay a huge
25 electric bill because my daughter wouldn't put

1 a fan in her window without getting high from
2 the guy doing his drugs on the third floor back
3 porch which is right outside her bedroom. And
4 my back hurts. And I said enough.

5 MR. HALLINAN: Thank you.

6 MR. MCHALE: Anybody else like to
7 address Council tonight?

8 (No response.)

9 MR. MCHALE: Seeing none. Public
10 officials.

11 ATTY. CUMMINGS: Yes, sir.

12 MR. MCHALE: Do you have anything
13 tonight for us, sir?

14 MR. VALVANO: Yeah, Mr. President.
15 We received several calls about the project on
16 Drinker Street specifically what's going on on
17 Warren Street. I spoke with PennDOT with
18 George Roberts and I let Mr. Hallinan know they
19 were three weeks delayed getting started with
20 that project.

21 It was supposed to have been -- done
22 Warren Street by the time school started. It
23 was a delay from utility work. There's still a
24 delay. They are waiting for PP& L to come back
25 to relocate the polls so that they could

1 finish. There was also some questions about
2 the sidewalk there and part of a driveway.
3 That was all easement work that that's why that
4 part of it happened -- the portion of that
5 easement and I guess it was the tradeoff
6 instead of paying the homeowner and whatnot.

7 There was also questions on the
8 sidewalks on Drinker Street. I guess the
9 assumption was that -- or Blakely Street, I'm
10 sorry. The sidewalks were going to go on
11 Blakely Street. And from what we're being
12 told -- and I relayed that to Mr. Hallinan.
13 And he spoke with Mr. Pichiarella as well, only
14 where the widening is going to take place are
15 where they are going to be getting some new
16 sidewalks.

17 So we do have a call into PennDOT to
18 get actual maps of the project, where the
19 sidewalks are actually going to go so we can
20 get together and fill in the blanks to see what
21 can actually be done because it might end up
22 with being a mishmash there. We don't want to
23 see that happen. So we're in contact so far.

24 MR. HALLINAN: May I? We talked
25 about this. And the probe was it all stemmed

1 from a complaint. And when we saw the project
2 I don't want to misquote numbers but it started
3 off if I'm not mistaken as maybe a 12 million
4 dollar project. And it got whittled down to
5 like a 6 million dollar project. And my
6 question was, why does Dunmore always get,
7 like, the short end of the stick?

8 All the other towns they get the
9 streets paved. They get lighting. We were
10 going to get sidewalks in just the widened
11 areas. Our lights were staying the same. And
12 how this came about -- and I don't even know if
13 we can, you know, advance -- come back and
14 reinvent the project.

15 But what I'm looking for is that. I
16 want to get sidewalks up and down through
17 Dunmore. I want to get lights and make our
18 town look, you know, aesthetically welcoming as
19 you come into our town. And Mr. Valvano's
20 office through Representative Farina have been
21 more than, you know, bending over backwards
22 trying to get us, you know, whatever we could.

23 And we're going to try to keep
24 pushing this. And I hope we can get -- I want
25 to get Representative Cartwright involved.

1 We're going to find money and see what we can
2 do.

3 MR. VALVANO: We're waiting for
4 Sandra from the Governor's office to call us
5 back. We're going to see because again that
6 project started, you know, before we, you know,
7 the new district. So we're just coming up to
8 speed on that. But we said, we're going to
9 work hard on that and see what we can come up
10 with.

11 MR. HALLINAN: Thank you. I
12 appreciate everything that your office has
13 done. Like I said, we're the second largest
14 community in Lackawanna County. And you go
15 into Jessup, Olyphant, Jermyn, Moscow is
16 absolutely beautiful what they've done up
17 there. Why can't we get the same? And that's
18 my only question to all of our state officials,
19 and, you know -- and I thank you for what
20 you're doing.

21 MR. VALVANO: We have one request so
22 far. I don't know if there is anymore. We had
23 one request from St. Anthony's Park Association
24 for an LSA Grant. Again, the deadline is
25 September 30th. So that was the only request

1 that we had through our office for projects in
2 Dunmore.

3 MR. MCHALE: Were you going to say
4 something?

5 MR. VERRASTRO: Yeah, originally,
6 Tom, with that project they had a big thing
7 down there and put a presentation on. They had
8 a picture on a tripod -- an easel that would
9 blow your mind. It was -- they probably spent
10 thousands of dollars on the sales pitch for
11 this.

12 And we had beautiful lighting going
13 in, sidewalks. I distinctively remember asking
14 if they were going to fix the water problem
15 going down towards where La Cucina is. They
16 were going to take care of all of that. How it
17 got cut back to what it's cut back to now, I
18 don't know. It's a shame though. You're 100
19 percent right and thank you for going up and --

20 UNIDENTIFIED MAN: Do you still have
21 the pictures?

22 MR. VERRASTRO: That was all stuff
23 they took with them that day. I don't have it.
24 It was a 4 by 4 sheet of -- it was beautiful.

25 MR. HALLINAN: We don't want to go

1 backwards pointing fingers or anything. Let's
2 just move forward and see. I mean, we can play
3 the blame game forever, you know.

4 MR. VERRASTRO: I'm not trying to
5 blame anybody.

6 MR. HALLINAN: No. I understand --
7 just even with the audience -- and I thank
8 Representative Farina's office. They are going
9 out of their way to keep in touch and tell us
10 what's going on. And I hope Harrisburg can
11 find something for the Borough of Dunmore.
12 Thank you.

13 MR. MCHALE: I want to echo what
14 Tommy said. Thank you. He called me every day
15 telling me how much he's talking to you guys
16 and the -- and just the help that we're getting
17 and Tommy too. He's really taking this as his
18 project and he's really fighting for it and
19 thank you for helping out.

20 MR. VALVANO: Well, even on Warren
21 Street I thought there was going to be a
22 portion where actually three concrete blocks
23 were not going to be changed. And, you know,
24 we called and, you know, we talked to --
25 Representative Farina called George Roberts

1 and said we can't have that. So they agreed.
2 We got an e-mail on that. I did share it with
3 that PennDOT agreed to take out that three
4 block section -- not three block but three
5 concrete block section and replace it.

6 MR. MCHALE: That's how it looks
7 right now. I saw it the other day. It
8 looks -- I'm glad. But thank you again.
9 Please pass that along to Representative
10 Farina.

11 MR. VALVANO: And there's also we
12 had a meeting -- I'm sure Tom shared with
13 Council about the bridge over at Bunker Hill.
14 So we're working on that too. So last we spoke
15 it was the ordinance that had --

16 MR. HALLINAN: I'll bring that up
17 when I speak, okay? Thank you for that too.

18 MR. MCHALE: A potentially massive
19 project. Thank you again. Mr. Ruggiero, do
20 you have anything tonight?

21 MR. RUGGIERO: No, sir.

22 MR. MCHALE: Mr. Kearney?

23 MR. KEARNEY: No.

24 MR. MCHALE: Joe.

25 MR. LORINCE: No.

1 MR. MCHALE: Mr. Judge.

2 MR. JUDGE: I want to apologize
3 about the recycling. We had trucks breakdown
4 last week. We'll get caught up with it. I
5 know the whole five wards are out.

6 MR. MCHALE: Thank you, Didge. I
7 talked to you more than I talked to my wife.

8 MR. JUDGE: We'll get caught up.

9 MR. MCHALE: Thank you, Didge.
10 Anybody else? Tom, do you want to start us off
11 tonight?

12 MR. HALLINAN: Sure. I'm only going
13 to talk for about two minutes.

14 MR. MCHALE: Yeah.

15 MR. HALLINAN: First of all, I had a
16 complaint from the Bunker Hill bridge in
17 Dunmore. There's a little sign there if
18 anybody goes by it says please fix our bridge.
19 So I had a good friend of mine he wanted it
20 painted, he wanted it paved. So I started
21 looking into it. I said what can we do?

22 And I actually grabbed the bridge
23 report that was done on that bridge from March
24 of this year. And when I read the report and
25 kind going through it, you know, obviously I'm

1 not an engineer. So we had a little meeting
2 with obviously Mr. Farina's office we sat down
3 with and sat down with people from the county
4 and we had an engineer come in from PennDOT.

5 And I sat in it with Mr. Cummings
6 and we just kicked around what can we do about
7 the Bunker Hill bridge. And I said can we
8 piecemeal this, like, how can we, you know,
9 sandblast, you know, the girders or something
10 and just start fixing it in pieces so we can
11 make it last because we can't build a new
12 bridge.

13 And he said more or less, Tommy, if
14 you want to help me out here, they said this
15 bridge would actually cost you more to fix it
16 piecemeal than to build a new bridge. And I
17 said, well, how do we go about building a new
18 bridge? And the guy from the state said what
19 we have is a project here where we can come in,
20 you hand everything over to the state, they do
21 the engineering, the design, build the bridge
22 and then we buy it back for five percent of the
23 total cost of project.

24 So right now when he told us that
25 this project could probably if it was done

1 right today 7 million dollars. But obviously
2 by the time you get through all the
3 engineering, God knows what they'll find and
4 however they're going to decide whatever they
5 are going to do with the bridge, it could run
6 up to 10 million, 12 million.

7 That was the -- just a guesstimate
8 by the engineer from PennDOT. He said that's
9 nothing set in stone. So realistically we
10 could have a 10 million dollar bridge for
11 \$500,000, which we would get through our
12 funding of what, Tommy?

13 ATTY. CUMMINGS: The matching grant
14 would be through CDBG and through our liquid
15 fuels and we would accumulate that over the
16 planning, the stage of the project. So when
17 the bridge was completed and turn key back to
18 the Borough, we would set title and we would
19 have accumulated the money for 5 percent of the
20 total project to remit to PennDOT.

21 MR. HALLINAN: So what we're looking
22 at here there's -- I feel there's no recourse.
23 I'm not an engineer. I'm not a professional.
24 But we can't just keep throwing money on a
25 bridge that it's eventually going to be

1 downposted which means they are going to
2 reduce the weight of the vehicles that go
3 across.

4 I mean, we're at -- we're probably
5 just legally getting busses over. I don't want
6 to get into all of that stuff. What I want to
7 do here is I want to make a motion that we
8 start moving forward with this to see, one, is
9 it feasible and start this project to get it on
10 PennDOT's TIP Program.

11 ATTY. CUMMINGS: Prior to the
12 motion, I would suggest you open to the floor
13 for any public comment.

14 MR. MCHALE: Anybody like to address
15 Council on this topic tonight?

16 (No response.)

17 MR. MCHALE: Seeing none --

18 ATTY. CUMMINGS: There being none,
19 it would be appropriate for a motion and a
20 second.

21 MR. HALLINAN: I would like to make
22 a motion to start this project which I think is
23 a good idea.

24 MR. MCHALE: I have a motion. Do I
25 have a second?

1 MS. SCRIMALLI: I'll second that.

2 MR. MCHALE: I have a motion and
3 second. On the question.

4 (No response.)

5 MR. MCHALE: All those in favor
6 signify by saying aye.

7 ALL MEMBERS: Aye.

8 MR. MCHALE: Opposed?

9 (No response.)

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

12 MR. HALLINAN: Thank you for the
13 garbage fees, Mr. Cummings, I -- you know, I
14 think we're looking there to try to start, you
15 know -- I mean, what's fair is fair. People
16 pay their taxes and these guys are getting away
17 with it. And I just want to find somehow to
18 recoup it for them. Just do the right thing.
19 Pay your taxes. Thank you.

20 ATTY. CUMMINGS: And in fairness to
21 Council, this has been discussed at multiple
22 meetings and so everybody has had full and
23 final notice that we are about to commence the
24 collections because it does get expensive but
25 everybody has already received multiple

1 notices.

2 MR. HALLINAN: Thank you very much.
3 And I'd like to make a motion that since we
4 have been losing some of the kids back to
5 school and everything, I'd like to make a
6 motion that Mark Lavelle, Jr., be put on the
7 Dunmore Community Center as a part-time
8 employee.

9 MR. MCHALE: I have a motion. Do I
10 have a second? Do we have to open it up, Tom?

11 ATTY. CUMMINGS: For the formality.
12 It's a personnel action.

13 MR. MCHALE: Anybody else like to
14 comment on adding a part-time employee to the
15 Community Center roster?

16 (No response.)

17 MR. MCHALE: Seeing none. I have a
18 motion. Do I have a second?

19 MR. VERRASTRO: I'll second.

20 MR. MCHALE: I have a motion and a
21 second. On the question.

22 (No response.)

23 MR. MCHALE: All in favor signify by
24 saying aye.

25 ALL MEMBERS: Aye.

1 MR. MCHALE: Opposed.

2 (No response.)

3 MR. MCHALE: The ayes have it and so
4 moved.

5 MR. HALLINAN: That's all I have.
6 Thank you.

7 MR. MCHALE: Mrs. Scrimalli.

8 MS. SCRIMALLI: I would just like to
9 thank everyone for coming, of course, but also,
10 Kelly, thank you for your input. When you
11 bring these issues forth, we try to commence
12 some kind of a fix or some kind of solution.
13 And I do hope that these issues will be
14 resolved. And you keep bringing them here and
15 that's all we need to address them as they
16 come.

17 As far as Mr. Farina's office, I
18 know that Dave left. But I do want to thank
19 Frank Farina's office for trying to help us
20 with this Blakely Street project. That's all I
21 have tonight. And thank you again for coming.

22 THE COURT: Thanks, Carol.

23 Mr. Burke.

24 MR. BURKE: Vito, did you check with
25 Dave? I didn't know he was leaving early what

1 I called you about last month was about a
2 project for St. Anthony's. Can you give Dave a
3 call and find out if that's what it was?

4 MR. RUGGIERO: They are applying for
5 the LSA Grant.

6 MR. BURKE: He told you that?

7 MR. RUGGIERO: Yes.

8 MR. BURKE: Okay. Also I want to
9 apologize to the Hallinans. I don't know what
10 to say. I'm embarrassed. I'm sorry you have
11 to go through this. I don't even know what to
12 say to you. It's wrong. You went through hell
13 it seems like for no reason at all. And I
14 don't know. I apologize.

15 MS. HALLINAN: I appreciate that.

16 MR. BURKE: I'm so sorry. That's
17 all I have.

18 MR. MCHALE: Mr. Verrastro.

19 MR. VERRASTRO: Yeah, I like to echo
20 what Timmy said. I'm sorry we can't get a
21 straight answer for you. I really am. But
22 also I believe this month we go back to our two
23 meetings a month?

24 MR. MCHALE: Yes.

25 MR. VERRASTRO: So we're having a

1 meeting two weeks from now. Thank you for
2 coming. Have a good night.

3 MR. MCHALE: Quickly, Mrs. Hallinan,
4 I told you a couple meetings ago that I have a
5 similar situation with my mother's. And I
6 think Timmy says it well. I don't know what to
7 do. I apologize. It's not on a backburner at
8 least the people that are sitting up here that
9 I know and talk to every day.

10 MS. HALLINAN: I'm trying to get the
11 proper board to take care of it.

12 MR. MCHALE: We understand. Believe
13 me and if what you complained of was across
14 from me, a lot of stronger words would have
15 come out of my mouth. You at least held it
16 together. So I give you credit. We're not
17 going to stop. We're going to keep trying.

18 MS. HALLINAN: Thank you. I
19 appreciate it.

20 MR. MCHALE: That's all I have.

21 ATTY. CUMMINGS: Before you close,
22 there is a great deal of litigation state wide
23 as well as nationally to protect tenants. And
24 some municipalities have paid exorbitant fees,
25 multiples of hundreds of thousands based on

1 good intentions and well meaning ordinances.

2 So since the last meeting and with
3 the requests made, gone through those court
4 decisions and what other communities are doing
5 and it would appear that Council perhaps should
6 revisit the nuisance ordinance, the refuse
7 ordinance, and the littering ordinances as well
8 as the procedure for the property maintenance
9 code complaint enforcement. If -- it would be
10 my suggestion that Council instruct that that
11 go forward.

12 MR. MCHALE: Can we direct -- I
13 could direct you to do it --

14 ATTY. CUMMINGS: Yes.

15 MR. MCHALE: -- to look into it?
16 Please do.

17 MR. VERRASTRO: Can we get a policy
18 in place for the Police Department where to
19 go --

20 ATTY. CUMMINGS: For what
21 department?

22 MR. VERRASTRO: For both police and
23 fire if we have a policy in the book we're
24 having to give them the guidance to go with
25 that --

1 ATTY. CUMMINGS: Yeah, I'd be happy
2 to meet with both the police and fire chief,
3 not really a policy but maybe an education
4 program and guidance.

5 MR. VERRASTRO: Exactly. Thank you.

6 MR. MCHALE: Anything else, Tom? I
7 apologize. I skipped over you.

8 ATTY. CUMMINGS: That's okay. Feel
9 like I was home.

10 MR. MCHALE: Do I have a motion to
11 adjourn?

12 MR. HALLINAN: I'll make that
13 motion.

14 MR. MCHALE: I have a motion. A
15 second?

16 MR. VERRASTRO: I'll second it.

17 MR. MCHALE: All in favor?

18 ALL MEMBERS: Aye.

19 MR. MCHALE: We're adjourned.
20
21
22
23
24
25

C E R T I F I C A T E

1
2
3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
5 notes taken by me of the above-cause and that this copy
6 is a correct transcript of the same to the best of my
7 ability.

8
9
10 _____
11 Maria McCool, RPR
12 Official Court Reporter
13
14
15
16
17
18
19
20
21

22 (The foregoing certificate of this transcript does not
23 apply to any reproduction of the same by any means
24 unless under the direct control and/or supervision of
25 the certifying reporter.)