

COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Monday, September 28, 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

MICHELLE SMOLSKIS  
OFFICIAL COURT REPORTER

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which is the most frail of our people.

So, I just wanted to give you an idea about this Council. We weren't notified. I got notified on Friday night as a member of the Sewer Authority Board by the executive director.

I had a chance to speak at length to Gene, Gene Barrett, this afternoon and to try to get to see what happened, what really what had happened, what was in this stuff, where did it come from, so on and so forth. And really the answers right now are not the ones that we want to hear or anybody else, because they really don't know.

A lot of testing was done. DEP was on was site Thursday night, Friday all day long, and also today. They took a number of tests to see what it was, where it was from.

We do have, based on Saturday's story in the Times, the landfill took credit for putting something through this dedicated line.

Gene was a little hesitant to put blame to anybody at this point until the testing comes back, and understandably so.

(Pledge of Allegiance.)

- 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. DEMPSEY: Present.
- ATTY. CUMMINGS: Mr. Hallinan.
- MR. HALLINAN: Here.
- ATTY. CUMMINGS: Mr. Nardozzi.
- (No response.)
- ATTY. CUMMINGS: Mr. McHale.
- MR. MCHALE: Here. Tom, before number three, I'd just like to talk about what had happened the other night on Thursday night, specifically with the discharge and the odor issues that happened from all the way down through our town into the Green Ridge portion of Scranton and further.
- We had a hotel that had to be evacuated, and even more tragic, we had to have some of the residents at St. Joseph's Center,

There are a multitude of industries on that line.

Obviously, again, I'm not saying that it wasn't the landfill, but just to make everyone aware, there are upwards of 20 people, two with heavy industrial -- I'm sorry. Waste Management and the landfill were the two with the big permits, per se, but there's many other industrial users on that from up in the park, UGL across the street, so on and so forth.

But he assured me that he'd let all of us know as soon as they got the tests back, which they're expecting the next day or two, to let us know really what was in it, where it came from, and where do we go from here, because he thinks that what this is going to become is not a DEP issue, but going to get pushed up to the EPA. That's where he's thinking it's going to go right now.

So, just to give you an idea of where the Scranton Sewer Authority is at this point.

We, as a Council, were extremely displeased, let alone what happened, but that we weren't notified. To that regard,

1 Mr. Dempsey wrote a brief letter that we're  
2 going to send to DEP tomorrow morning if it's  
3 the pleasure of the majority of Council. So  
4 I'll turn it over to Mr. Dempsey at this point.

5 MR. DEMPSEY: Yeah. Again, we  
6 weren't notified, so this is -- the letter's  
7 written on very short notice on my cell phone  
8 today because I was on the run. So, I can --  
9 if you want me to, I could read it. It's very  
10 short and sweet and to the point.

11 It's obviously open to  
12 interpretation and any additions. Obviously,  
13 the public's going to get to comment on it, and  
14 then once we have a final letter we can go  
15 ahead and --

16 MR. MCHALE: Exactly.

17 MR. DEMPSEY: -- send this out.

18 MR. MCHALE: You'll get the idea of  
19 where our thoughts were from the letter. It  
20 may not be verbatim, but it'll be very, very  
21 close to this version.

22 MR. DEMPSEY: Okay. (Reading) As  
23 you are aware, on Thursday, September 25th,  
24 the landfill discharged treated leachate into  
25 Scranton's combined water system creating a

1 smell that prompted an evacuation of  
2 St. Joseph's Center and a hotel, both located  
3 in the Borough of Dunmore. Be advised that we  
4 have received numerous complaints regarding the  
5 obscene odors emanating from that discharge.

6 Please be advised that no officials  
7 from either the landfill, DEP, or the Scranton  
8 Sewer Authority ever contacted the Dunmore  
9 Borough regarding the discharge of leachate.

10 As you can imagine, this is  
11 completely unacceptable to our Borough  
12 residents. As such, we are requesting a  
13 complete and thorough investigation into the  
14 matter. Upon completion of your investigation,  
15 we would like a written response outlining the  
16 steps being taken to ensure that this never  
17 happens again.

18 We eagerly await word from you.  
19 Sincerely, Dunmore Borough Council.

20 Again, very short and to the point,  
21 but open to everybody. This is, again, I wrote  
22 it very quickly. So that's basically what we  
23 have right now.

24 MR. MCHALE: As this is not on the  
25 agenda, we'll take a motion to pass this, a

1 motion to second, then we'll open it up to  
2 public comment if anybody wants to comment on  
3 this or any other agenda items in number three.

4 So, I'll look for a motion to send  
5 this letter.

6 MR. DEMPSEY: I'll make the motion.

7 MR. VERRASTRO: I'll second it.

8 MR. MCHALE: I have a motion and a  
9 second.

10 MR. HALLINAN: On the question.

11 MR. MCHALE: Yeah.

12 MR. HALLINAN: I just want to make  
13 sure that everybody understands, this isn't  
14 going away. We, as a Council, sat in there,  
15 and we're thoroughly embarrassed about what  
16 happened here. This is wrong. There's no  
17 excuses. It's bad. When you're taking  
18 children out of St. Joe's, I don't know how  
19 much worse it could get.

20 And we were never notified. It  
21 sounds like an excuse; it never happened. I  
22 read about it in the paper, and that's wrong.

23 So, I just want to apologize to  
24 anybody. And, really, let's find out what  
25 happened and get to the bottom of this, because

1 it's wrong. There's no excuse. That's all I  
2 have to say.

3 MR. MCHALE: As a point, again,  
4 public comment, since we put this on the agenda  
5 tonight, we have to open it up to public  
6 comment. So in, again, number three, in public  
7 comment on the agenda items, if anybody wants  
8 to address this or anything else on the agenda,  
9 please come up to the podium before we take a  
10 vote. Please, Gary.

11 MR. DUNCAN: I just got here, but  
12 could you give us a clarification --

13 MR. MCHALE: Gary, I do have a  
14 stenographer here tonight, so could you come  
15 up, please? I apologize.

16 MR. DUNCAN: Mike, if you could --

17 MR. MCHALE: Could you state your  
18 name? She's new, Gary. I apologize.

19 MR. DUNCAN: Gary Duncan, 117 Barton  
20 Street, Dunmore. You mentioned the EPA, could  
21 you just give us a clarification of EPA  
22 involvement?

23 MR. MCHALE: I don't know yet, Gary,  
24 honestly. What he said, he thinks that it's  
25 going to be wrought out of the DEP's hands.

1 This is Gene Barrett's interpretation of what  
2 he was, I guess, advised of this afternoon,  
3 that it will go to the EPA level after this,  
4 based on what comes back and how bad it is, I  
5 guess.

6 And, again, that's my  
7 interpretation. But that's what he said, and  
8 he said that I could say it, too.

9 MR. DUNCAN: All right. All right,  
10 thanks.

11 MR. MCHALE: I wish I had more,  
12 Gary. And when I do, I will let anybody know.  
13 We'll put it on the website.

14 MR. DUNCAN: I was just going to ask  
15 you, can we get that on the Borough's website  
16 then?

17 MR. MCHALE: Sure. Vito will put it  
18 out on Facebook, whatever the case may be.

19 MR. DUNCAN: Okay. Thank you very  
20 much.

21 MR. MCHALE: You got it.

22 MR. DUNCAN: Thank you.

23 MR. MCHALE: And I'm sure our  
24 Scranton Times will keep us up to date, too.

25 MR. DUNCAN: Okay.

1 MR. MCHALE: Anybody else who would  
2 like to on the agenda items? Please.

3 MR. AMICO: Vince Amico, 1733 Adams.  
4 Thank you for sending the letter, first of all.  
5 I appreciate that. And my question was I guess  
6 one that I believe that was never answered  
7 before as far as the landfill is concerned,  
8 because we've asked how often is the  
9 nondedicated line used, not the line that goes  
10 through Sport Hill, but the one that goes  
11 through Green Ridge, and there's never an  
12 answer.

13 And my understanding, and I'm fairly  
14 certain I'm correct on saying this, the answer  
15 that was given was is that that line is used  
16 when there's overflow from the storm water,  
17 which we haven't had rain in, you know, quite a  
18 long time.

19 So, I'd like, you know, you guys  
20 have more -- I don't know how to say this --  
21 more juice than a regular taxpayer has, I'd  
22 like to know when that line is used and under  
23 what circumstances is it used. Just under --  
24 just when there's extra, when there's  
25 rainwater, which obviously didn't happen the

1 other night?

2 And, you know, who determines when  
3 it's used? Is it used by accident? When is  
4 this line used? Because, again, I'm assuming  
5 that it's an old terra cotta line or it's not,  
6 you know, it's probably an old line, so, you  
7 know, God knows what's been leaking for X  
8 amount of years, and I think as citizens, we  
9 should be concerned about that.

10 MR. MCHALE: Vince, I'll ask the  
11 Sewer Authority tomorrow.

12 MR. AMICO: Thank you very much.  
13 The thing that bothered me the most -- not  
14 bothered me -- I guess it's wrong, but I'm  
15 almost embarrassed to say that it took, you  
16 know, kids at St. Joe's to be the prompting  
17 that's going to aggravate people in this town  
18 and say, Hey, you know, enough is enough.

19 We've been saying that for the last  
20 year, and I believe that, you know, it's a  
21 shame that, like you said, the most vulnerable  
22 of our citizens are the ones that are prompting  
23 outcry now.

24 So I appreciate the letter you sent.  
25 I thought it was very well written. So, thank

1 you.

2 MR. MCHALE: Thanks, Vince.

3 MR. HALLINAN: And, Vince, also,  
4 then maybe should they test the line before  
5 they send something down.

6 MR. AMICO: Yeah. Maybe they should  
7 proof the lines when they --

8 MR. HALLINAN: And then periodically  
9 it should be -- I mean, maybe the line's  
10 rotted. Who knows where it's going or what's  
11 leaking.

12 MR. AMICO: Right.

13 MR. HALLINAN: Thank you.

14 MR. AMICO: Thank you.

15 MR. MCHALE: Anybody else on agenda  
16 items? We'll have another chance to come back.  
17 Please.

18 MS. TEEVAN: Joanne Teevan, Spring  
19 Street, Dunmore. Your letter said that treated  
20 leachate was released?

21 MR. DEMPSEY: That's --

22 MS. TEEVAN: That's the question I  
23 wanted to ask.

24 MR. MCHALE: That's what we were  
25 told.

1 MR. DEMPSEY: It's questionable,  
 2 yeah.  
 3 MS. TEEVAN: So, yeah, can you put  
 4 allegedly or something to that effect?  
 5 MR. DEMPSEY: Sure.  
 6 MS. TEEVAN: Because it certainly  
 7 doesn't seem like it was treated in any way,  
 8 shape or form.  
 9 MR. DEMPSEY: Sure.  
 10 MR. MCHALE: Thank you. Anybody  
 11 else on agenda items?  
 12 MS. CUFF: Hi. Sharon Cuff, Spring  
 13 Street, Dunmore. Again, thanks for the letter,  
 14 that's great. I'm glad you guys are on board  
 15 with this.  
 16 A couple quick things. Was Dunmore  
 17 Fire Department called? Was Dunmore Police  
 18 Department called?  
 19 MR. MCHALE: Chief? Chief Marchese  
 20 is back there.  
 21 CHIEF MARCHESE: (Inaudible).  
 22 MR. MCHALE: Pardon me?  
 23 CHIEF MARCHESE: My guys were out.  
 24 MR. MCHALE: Your guys were out. Do  
 25 you know if -- our fire chief isn't here, do

1 you know if the fire department was there?  
 2 CHIEF MARCHESE: Yeah, they were  
 3 out.  
 4 MR. MCHALE: Again, Mrs. Cuff, none  
 5 of us knew. I was the first one to know on  
 6 Friday night about 8:00. So, forgive me, I  
 7 didn't --  
 8 MS. CUFF: Is there any reason why  
 9 they didn't share that event with Council or --  
 10 MR. DEMPSEY: That's why we're  
 11 sending the letter to ask and demanding, Why  
 12 weren't we notified.  
 13 MS. CUFF: By your own people?  
 14 MR. DEMPSEY: Oh, by the fire  
 15 department and the police department?  
 16 MS. CUFF: Yeah.  
 17 CHIEF MARCHESE: I texted my boss  
 18 that night; he knew about it. I mean, at  
 19 the time they didn't know what it was, and  
 20 it was --  
 21 MS. CUFF: But there was an  
 22 evacuation of two facilities in the Borough.  
 23 UNKNOWN SPEAKER: Who's your boss?  
 24 MR. MCHALE: Ma'am, we can't ask  
 25 questions. I apologize, because we have a

1 stenographer here, but --  
 2 MS. CUFF: Okay. I'm just, I find  
 3 that concerning. Another thing, as far as EPA  
 4 goes, I would assume that why EPA would be  
 5 taking over would be because we have a Clean  
 6 Air Act and a Clean Water Act, does that  
 7 sound --  
 8 MR. MCHALE: It would be an  
 9 assumption on my part, as well.  
 10 MS. CUFF: Okay.  
 11 MR. MCHALE: So I'll find out.  
 12 MS. CUFF: Okay. Yeah, I just  
 13 thought that seemed like it might be something.  
 14 And, let's see, what else. The other thing I  
 15 did want to say: Again, I am thanking you  
 16 guys, I think it's great you seem to be very  
 17 concerned. People are exposed to things  
 18 continually at a low level, and that's  
 19 something you should be concerned about all the  
 20 time, not just when it causes an evacuation.  
 21 These are the concerns. Anyone who has any  
 22 preexisting condition is at risk.  
 23 It may not affect me particularly  
 24 because I don't, but kids like St. Joe's, that  
 25 are at St. Joe's, anyone who has asthma, anyone

1 with any underlying conditions, those low  
 2 levels that we're breathing in for all these  
 3 years are a problem, and that's what everyone  
 4 has been trying to get across. And I don't  
 5 know why it's so difficult for people to  
 6 understand that.  
 7 I'm glad that this has brought  
 8 attention. I feel terrible that it had to take  
 9 something like this, involving, like you said,  
 10 our most at risk children. It doesn't get  
 11 worse than that.  
 12 And, lastly, and I don't mean this  
 13 to sound the way it's going to, but nobody  
 14 called Dunmore Council, none of the community  
 15 members. Guess whose phones were ringing  
 16 nonstop from Friday morning. Friends of  
 17 Lackawanna. Why do people feel comfortable  
 18 calling members of Friends of Lackawanna to  
 19 tell them what's going on and they don't feel  
 20 comfortable calling the Borough Council?  
 21 MR. MCHALE: Thank you. Anybody  
 22 else on agenda items?  
 23 (No response.)  
 24 MR. MCHALE: I'm seeing none, Tom.  
 25 ATTY. CUMMINGS: Do you have a

1 motion and a second?

2 MR. MCHALE: I have a motion and a  
3 second. Anybody else 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 four is  
13 a motion to authorize Council President and the  
14 Solicitor to negotiate final agreement for  
15 Street Light Energy Efficiency program  
16 with Constellation Energy.

17 MR. MCHALE: Do I have a motion?

18 MR. DEMPSEY: I'll make the motion.

19 MS. SCRIMALLI: I'll second that.

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

22 (No response.)

23 MR. MCHALE: All those in favor,  
24 signify by 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 ATTY. CUMMINGS: Item number five is  
6 a motion to accept the 2016 Minimum Municipal  
7 Obligations of the Police, Fire and Clerical  
8 pension plans as calculated by Duda Actuarial  
9 Consulting in Fort Washington, Pennsylvania.

10 MR. MCHALE: Do I have a motion?

11 MR. HALLINAN: I'll make the motion.

12 MR. MCHALE: Second?

13 MR. DEMPSEY: I'll second it.

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

16 (No response.)

17 MR. MCHALE: Quickly, for  
18 everybody's knowledge, the MMOs came in this  
19 year. This is a thing that we have to do in  
20 public to pass these prior to September 30th.

21 The firemen's pension MMO is  
22 \$200,604. The nonuniform pension plan, which  
23 is our clerical unit, \$206,056. And our police  
24 department, \$389,398. A total of \$796,058. To  
25 give you an idea, compared to last year, it's a

1 \$500,000 savings from last year.

2 Anybody else on the question?

3 MR. VERRASTRO: The savings is  
4 because of the way it performed from what we do  
5 with our pension, correct?

6 MR. MCHALE: And the loan that we  
7 had done years ago that is coming to fruition.

8 Anybody else 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 approve a resolution of support on  
19 the Dunmore School District's application for a  
20 Local Share Account Monroe County grant for  
21 trail safety improvements, vegetation control,  
22 trail grooming and trail surface restoration of  
23 the Bucktown Trail.

24 MR. MCHALE: Do I have a motion?

25 MR. HALLINAN: I'll make that

1 motion.

2 MR. VERRASTRO: I'll second it.

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

5 (No response.)

6 MR. MCHALE: Again, for everybody's  
7 knowledge, this is a \$36,010 grant to help out  
8 the school district. We have to sponsor the  
9 grant. And it's to update and level out and  
10 upgrade the trail that's existing right now.  
11 So it's \$36,010.

12 Anybody else on the question?

13 (No response.)

14 MR. MCHALE: All those in favor,  
15 signify by saying aye.

16 ALL MEMBERS: Aye.

17 MR. MCHALE: Opposed?

18 (No response.)

19 MR. MCHALE: The ayes have it and so  
20 moved.

21 ATTY. CUMMINGS: Item number seven  
22 is a motion to approve a letter of support on  
23 St. Anthony's Memorial Playground's application  
24 for a Local Share Account Monroe County grant  
25 for continued revitalization of the playground.

1 MR. BURKE: I'll make that motion.  
 2 MR. VERRASTRO: I second.  
 3 MR. MCHALE: I have a motion and a  
 4 second. On the question.  
 5 (No response.)  
 6 MR. MCHALE: Mr. Ruggiero, do you  
 7 happen to know what the amount of this grant  
 8 is?  
 9 MR. RUGGIERO: I do not.  
 10 MR. MCHALE: Off the top of my head  
 11 I'm not quite sure either. I don't think it's  
 12 in --  
 13 MR. RUGGIERO: It's not in the  
 14 letter.  
 15 MR. MCHALE: It's not in the letter.  
 16 But, again, this is their application. We have  
 17 to sponsor it. It is our approval and support  
 18 of this program in beautifying a great park in  
 19 our town.  
 20 Anybody else 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: Item number eight  
 5 is personal matters for motion to hire Patrick  
 6 Judge as part-time employee, Borough of Dunmore  
 7 Public Works.  
 8 MR. MCHALE: Do I have a motion?  
 9 MS. SCRIMALLI: I'll make that  
 10 motion.  
 11 MR. HALLINAN: I'll second it.  
 12 MR. MCHALE: I have a motion and a  
 13 second. On the question.  
 14 (No response.)  
 15 MR. MCHALE: All those in favor,  
 16 signify by saying aye.  
 17 ALL MEMBERS: Aye.  
 18 MR. MCHALE: Opposed?  
 19 (No response.)  
 20 MR. MCHALE: The ayes have it and so  
 21 moved.  
 22 ATTY. CUMMINGS: Item number nine  
 23 would be public comment commencing with Gerard  
 24 Hetman, Lackawanna County representative.  
 25 MR. HETMAN: Good evening, Council.

1 Gerard Hetman from Lackawanna County's  
 2 Community Relations Department.  
 3 Beginning this evening, we would  
 4 just like to thank Council and everyone  
 5 involved in our two big fall events, that being  
 6 our Heros Day Public Safety Fair, and also our  
 7 Senior Health Fair. I see some familiar faces  
 8 in here that were present for both of those  
 9 events.  
 10 We thank everyone who came, everyone  
 11 who was there as an exhibitor, participant, and  
 12 also anyone who helped spread the word with  
 13 that, either by word of mouth, social media,  
 14 hanging up our flyers. We really appreciate  
 15 it.  
 16 We saw several hundred people come  
 17 out for each event, and we had a great crowd,  
 18 in particular, from the Dunmore Senior Center  
 19 for the Senior Fair. We got a Colts bus to  
 20 come up and take probably about 30 folks who  
 21 are seniors that are members to the Senior  
 22 Health Fair.  
 23 So thank you to everyone who  
 24 participated in that. We appreciate it.  
 25 The way that this falls now, we're

1 just coming out of those events and we're just  
 2 going into the budget season for the County  
 3 budget. So we would just like to talk about it  
 4 this evening.  
 5 The first is the Commissioners  
 6 Annual Community Blood Drive. It takes place  
 7 tomorrow, Wednesday -- or, excuse me, on  
 8 Wednesday, September 30th, from 10 a.m. to  
 9 4 p.m. at the University of Scranton's John  
 10 Long Center. Walk-ins are welcome, or if  
 11 someone wants to set up an appointment, they  
 12 could call 1-800-RED-CROSS or go to  
 13 www.redcrossblood.org. It does require a photo  
 14 ID.  
 15 Second is our annual fall fishing  
 16 derby run by the County's Parks and Recreation  
 17 Department. It takes place at Merli-Sarnoski  
 18 Park on Saturday, October 3rd, from 11 a.m. to  
 19 1 p.m. It's open to children ages 4 to 12.  
 20 The cost is \$5 per child to fish.  
 21 Now, we're hoping, and you could  
 22 correct me on this, hopefully I'm right, we've  
 23 tried to avoid conflicts with other events on  
 24 that date and time. Sometimes there's some  
 25 other youth fishing events around the County

1 that take place in the fall that fall on the  
2 same day as the fishing derby, and this year we  
3 think we've avoided them all. I hope we're  
4 correct. It's open to the public, so we would  
5 love to see everyone there.

6 And just lastly, the County Library  
7 Systems American Masters Lecture Series has  
8 their next installment for the fall coming up.  
9 The guest speaker is James McPherson. He's a  
10 Pulitzer Prize winning author and historian.  
11 He specializes in the Civil War.

12 So his topic is Abraham Lincoln,  
13 Jefferson Davis, and the end of the Civil War.  
14 It's Thursday, November 5th, 7 p.m. at the  
15 Scranton Cultural Center. Tickets are free to  
16 any Lackawanna County library system  
17 cardholder.

18 So those are our events. When I  
19 come the next time to your meeting, it'll  
20 probably be the week of our budget release,  
21 when the commissioners release the tentative  
22 budget on October 15th.

23 So I might not have the budget  
24 information right there, but we'll get it to  
25 Council as soon as we can, and I'll try within

1 the next meeting after that so that we can give  
2 you our annual brief with precise update on the  
3 status of the County's tentative budget, or in  
4 this case, 2016. So, thank you.

5 MR. MCHALE: Thank you.

6 MR. HALLINAN: Thank you.

7 MS. SCRIMALLI: Thank you.

8 ATTY. CUMMINGS: Next is Gary Duncan  
9 under public comment.

10 MR. DUNCAN: Again, Gary Duncan, 117  
11 Barton Street, Dunmore. Just a few things,  
12 and, Vito, I want to ask you, if we have a  
13 Neighborhood Watch meeting, I want to make sure  
14 everybody got -- we had it typed up, and I hope  
15 everybody got the e-mail, I hope they were able  
16 to open the attachments, and if you weren't --

17 MR. HALLINAN: I get it the second  
18 way. I don't know --

19 MR. DUNCAN: Okay. You got it the  
20 second way. Okay. But you got it?

21 MR. HALLINAN: Yeah.

22 MR. DUNCAN: So, everybody's got  
23 them. Vito, you're here tonight, I wanted to  
24 ask you, it's come up in a few of the  
25 Neighborhood Watch meetings, and I think it's a

1 really good point, about the bike helmets on  
2 the children under 12. And I know you do a lot  
3 of grant writing and things like that, and it  
4 came up last week at the meeting, I was  
5 wondering, is there any way, you know when we  
6 do the National Night Out and there's a lot of  
7 children that are involved in that, if there's  
8 any way we could get grant money or anything or  
9 something that you would know about and you  
10 could look at?

11 And it'd be a two for, maybe get the  
12 grant money or get some free bike helmets and  
13 stuff so that we could give them out to the  
14 kids that night. I mean, it's a state law, I  
15 believe it's a state law, that children 12 and  
16 under have to have helmets.

17 When I was coming down Delaware  
18 Street one night, there was a dad with his  
19 two children, one with training wheels, right  
20 in the middle of Delaware Street, no helmets.  
21 So --

22 MR. RUGGIERO: Mr. McGraw grabbed me  
23 last meeting and he did mention the same thing,  
24 and I thought it was a good idea to contact the  
25 Chief and we're going to try to find some

1 funding that we could do something like that at  
2 National Night Out.

3 MR. DUNCAN: Thanks for that.  
4 Drinker Street and Holy Cross, I know Chief  
5 Marchese is here tonight and the PD, another  
6 thing that came up, and I don't want to wait  
7 until next month's Neighborhood Watch meeting,  
8 we got a report that the traffic speed lights  
9 up by Holy Cross are out, and so I don't know  
10 if you folks have been hearing anything about  
11 that, or Bill, or any of the PD.

12 I know you weren't at the meeting  
13 last week, Bill, but Tommy Richardson was with  
14 us, and, you know, I came down the street this  
15 morning, and to tell you the truth, I didn't  
16 notice if the lights were on or off. Didge?  
17 Thanks.

18 MR. JUDGE: No, they're off.  
19 They're the State's. There's lots of them. I  
20 went up to change them, I couldn't even get  
21 them open.

22 MR. DUNCAN: Who do I --

23 MR. JUDGE: The State always handled  
24 that.

25 MR. DUNCAN: Who do we go to,

1 PennDOT?

2 MR. HALLINAN: Yeah. We would  
3 notify PennDOT. And I was kind of looking into  
4 it, and there was a thing called an Arly Grant,  
5 which I tried to talk to -- you know, we tried  
6 to tie it into the light -- listen to me -- up  
7 on the exchange that they're going to do up on  
8 the top of Drinker Street, but that didn't kind  
9 of work out. They just couldn't do the  
10 funding. But we're trying to get what's called  
11 an Arly Grant and see how that works out.  
12 Okay?

13 MR. DUNCAN: Yeah. So, I guess, and  
14 just bear with me here --

15 MR. HALLINAN: It's a PennDOT road.  
16 It's state.

17 MR. RUGGIERO: Any of their own,  
18 PennDOT --

19 MR. HALLINAN: Right.

20 MR. RUGGIERO: -- they come out and  
21 change it.

22 MR. DUNCAN: What do we do about the  
23 lights for now? Anything we can do? I just, I  
24 hate to see anybody get hit there. There is a  
25 crossing guard there when I go up and down at

1 different times, but I know what people do, the  
2 lights -- I mean, I'm in healthcare, it's a  
3 visual cue. Just so that we're aware of it, if  
4 you hear anything.

5 MR. HALLINAN: I'll talk to you  
6 after.

7 MR. DUNCAN: All right. Thanks.  
8 Just moving right along, it came up at the  
9 meeting last week again with the members of the  
10 police department about Clay Avenue and Blakely  
11 Street, the bus stop area over there. I have  
12 to tell you folks, and, Chief, if you want to  
13 get it back to the guys on day shift and on  
14 second shift, the parents got in touch with me,  
15 they're thrilled because the police presence is  
16 over there, you know, for the school pickup and  
17 drop off times. So, just, from the  
18 Neighborhood Watch, please let the guys know.

19 The neighbors over there on Clay  
20 Avenue, they really do appreciate it. They had  
21 some serious concerns about their children.  
22 So, you know, on behalf of the Neighborhood  
23 Watch, we thank you folks for getting right out  
24 and getting that addressed.

25 Last -- well, a few things.

1 Prescott and Grove Street, when Nibs went out  
2 on the walk with us, and you know how many  
3 months ago that was, the cones are still in  
4 that sewer grid at Prescott and Grove. And  
5 Nibs, at the time, said that was the same thing  
6 of a sewer situation where some kid actually  
7 got caught down. That was maybe April. Those  
8 cones are still in there.

9 So I don't know what that sewer grid  
10 looks like, the grating, but the cones are  
11 still there. I went by the other day and  
12 there's -- they're sticking up a little less,  
13 which means they probably sunk a little more,  
14 but the cones are still up, so that may be, you  
15 know, collapsing.

16 I have to thank the Councilmen that  
17 came to the meeting last night. I appreciate  
18 it very much. And, Councilman Hallinan, even  
19 when you're not there, I do, for the public  
20 record, have to tell, you know, 8:00 in the  
21 morning, for God's sake, I hear from you, and I  
22 know you're following up and I know you're  
23 working with PennDOT. And, again, on behalf of  
24 the group, it's appreciated.

25 The Council members that were there

1 last week, on behalf of the group, it's  
2 appreciated.

3 We're having a fundraiser this  
4 Sunday. I want to thank Didge. I talked to  
5 him before the meeting outside, and I talked to  
6 Captain Barth, and I know the police department  
7 and Didge, thank you in advance for helping us  
8 set up this fundraiser.

9 It's Sunday from 1 to 5. It's at  
10 Traditional Home Health on 113 West Drinker  
11 Street. I have some posters here, if anybody  
12 has a business and you'd like to take one and  
13 put it up for us and help us with this.

14 It was one of our nurses, their son  
15 was in a really bad automobile accident. I  
16 can't get into it because of HIPAA, but medical  
17 bills are astronomical. So whatever you can do  
18 for her. She's been a nurse with us for 20  
19 years, and you could imagine what the medical  
20 bills look like at this point. So thanks for  
21 that.

22 The next Dunmore Neighborhood Watch  
23 meeting, I want to thank Chief DeNaples, I  
24 reached out to Chief last week, October's fire  
25 safety month. Last year, for the Council

1 members that weren't here for that meeting, he  
2 sent two guest speakers down from the fire  
3 department. They did a really wonderful job.  
4 We had about 30 people at that meeting, and  
5 everybody left impressed because they went over  
6 a lot of safety things.

7 I reached out to the Chief, he was  
8 kind enough to tell me already he's going to  
9 get guest speakers. So the next neighborhood  
10 watch meeting will be October the 19th, but we  
11 will be having guest speakers. And, again,  
12 thanks for everybody that's been trying to help  
13 us with everything. It's appreciated. Thank  
14 you.

15 MR. MCHALE: Thank you.

16 MS. SCRIMALLI: Thank you, too.

17 MR. DUNCAN: Thank you.

18 MR. VERRASTRO: Gary, I'm sorry,  
19 with that, did you start to plan anything yet  
20 for mischief night with everybody?

21 MR. DUNCAN: No. You asked me that  
22 last year.

23 MR. VERRASTRO: I know. I ask you  
24 every year. I'm trying.

25 MR. DUNCAN: I know. And you asked

1 me the year before, and I'm not trying to blow  
2 you off.

3 And you know what, I have to thank  
4 Gerard Hetman because he got the word out first  
5 on the County side about this fundraiser. So  
6 thanks to the Commissioners and the County for  
7 supporting the Neighborhood Watch, as well.

8 And Mr. McGraw will tell you, if  
9 Mr. McGraw misses a meeting, I get nervous  
10 because he's my neighbor and he comes to every  
11 meeting, that's a real community involved  
12 person, but a lot of the people that attend our  
13 meetings are older than me and a few years  
14 younger than Mr. McGraw. We can't get those  
15 people out at night, Sal, you know, rods and  
16 cones being what they are for your vision, but  
17 they're just not as good as yours probably are  
18 with the sidewalk situation.

19 So we don't have people that could  
20 go out and do that. A lot of the folks that  
21 come, I'll be gentle, they're -- most of our  
22 folks are over the age of 45.

23 MR. VERRASTRO: Yeah. No, like I  
24 said, just to go out on your porch and have a  
25 cup of coffee, just the presence of adults

1 outside that night will --

2 MR. DUNCAN: Well, we talk about  
3 that at the watch meeting, we advise everybody  
4 to keep their lights on, we talk about that.  
5 If somebody tells us about automobile injuries  
6 or anything like that, the first message I send  
7 back is, Tell your neighbors to get the lights  
8 on.

9 It came up last week at the meeting,  
10 you know, and it is neighborhood, it's all  
11 about that, keeping an eye out for each other.  
12 And I think Tom Hallinan's been to enough  
13 meetings, he's probably heard it a couple of  
14 dozen times himself at our meetings, but I  
15 can't ask all our group to get out and walk.  
16 They're just --

17 MR. VERRASTRO: No, I don't want  
18 them to walk.

19 MR. DUNCAN: Yeah. That's -- we  
20 have those guys for that.

21 MR. VERRASTRO: Okay.

22 MR. DUNCAN: Okay?

23 MR. VERRASTRO: Thank you.

24 MR. DUNCAN: Thank you.

25 ATTY. CUMMINGS: General public

1 comment.

2 MR. MCHALE: Anybody like to address  
3 Council tonight? Please.

4 MS. HALLINAN: Kelly Hallinan, 1723  
5 Madison Avenue. My question is tonight, how  
6 about the petition that was presented twice to  
7 Council, once on June 8th and then again two  
8 weeks ago, signed by 30 other Madison Avenue  
9 property owners in regard to the multiunit  
10 apartment building being allowed to run against  
11 ordinance within the neighborhood?

12 MR. MCHALE: Your question is, do we  
13 have it?

14 MS. HALLINAN: Do you have it?

15 MR. MCHALE: Yes, we have it. Yes.

16 MS. HALLINAN: Has it been looked  
17 at?

18 MR. MCHALE: Tommy --

19 MS. HALLINAN: Is there anything I  
20 could take back to the neighborhood property  
21 owners that --

22 MR. MCHALE: -- do you want to  
23 address this?

24 ATTY. CUMMINGS: I haven't done  
25 anything. It was just distributed by e-mail.

1 MR. MCHALE: Yeah.  
2 ATTY. CUMMINGS: And it just gets  
3 forwarded to the code office and reviewed, and  
4 then I'll get an opinion on it.

5 MS. HALLINAN: Okay. The  
6 determination that I've been asking for since  
7 July of 2013 from the zoning and code  
8 enforcement officer, I finally got an opinion.  
9 You could look up in Webster's Dictionary, an  
10 opinion is not based on fact. There are no  
11 facts for an opinion. A determination has  
12 facts.

13 So, I have presented you a lot of  
14 facts, all the broken ordinances, recorded  
15 ordinances, that are legislative acts. And,  
16 Council, one of your duties is to make sure  
17 that the ordinances are enforced, and you have  
18 appointed someone to enforce the ordinances and  
19 there are multiple ordinances surrounding my  
20 home, but in this home -- in this neighborhood  
21 that these people have signed this petition for  
22 that have been broken.

23 You know, it's supposed to be two  
24 parking spots per rental unit, aside the fact  
25 we're not zoned for rental units. There are no

1 parking spots for these people, so they are not  
2 legally there. They don't go with the  
3 ordinances. They are against the ordinances.  
4 The ordinances are not being enforced.

5 So, an opinion that was sent to me  
6 means absolutely nothing. I already had this  
7 opinion. But your opinion on everything that I  
8 have given to you since May should matter  
9 because all I did was give you copies of your  
10 own ordinances.

11 And with no disrespect, here is the  
12 PA General Assembly, Title 8, Boroughs and  
13 Incorporated Towns, that says that Borough's  
14 Council, their duty is to make sure the  
15 ordinances are intact, done correctly,  
16 recorded, and to make sure that the code  
17 enforcement officer does follow his duties and  
18 enforce the ordinances.

19 They're not being enforced.  
20 Otherwise, we wouldn't have the problems we're  
21 having.

22 I have something else here, which I  
23 said I wouldn't do anymore, spend any more  
24 money on ink, but I had to. What egged me on  
25 to do this was when there were multiple

1 violations found by the Borough in the  
2 apartment house next to me. I'm not talking  
3 about building and construction code  
4 violations, that's nothing what I'm talking  
5 about. I don't care if they're violating the  
6 building and construction code, because they  
7 don't belong there anyway.

8 Dunmore's losing money. No one's  
9 being cited. Everything in pink was done --  
10 sent down to the Commonwealth court by the  
11 former code enforcement officer. Moneys were  
12 collected, the Borough received money because  
13 people were not following the ordinances. Well  
14 that all ended. There have been no citations  
15 issued for any ordinances.

16 I'm sure since 2005 there have been  
17 broken ordinances, there have been things  
18 people should have paid fines for. Some people  
19 have to pay fines, some people don't. You're  
20 losing money.

21 You've been to my neighborhood,  
22 you've seen what happened. That was a  
23 beautiful neighborhood, single family homes.  
24 People took care of their properties, they had  
25 pride in their neighborhood, they had pride in

1 their town. There's none of that down there.  
2 Some of you have seen it.

3 And, really, I'm just trying to let  
4 you know that we're losing our town. We're  
5 losing our nice community and it's happening  
6 right in front of your eyes.

7 And if for one minute you think that  
8 anyone that knew one of the Coars would attack  
9 them of all people in Dunmore, behind their own  
10 building. I knew right away that it wasn't one  
11 of our kids, one of our friends' kids that may  
12 have a drug problem. I knew it was someone  
13 that wasn't familiar with the Coar brothers and  
14 expected to survive after they attacked one of  
15 them. There's a Hazleton story for you.  
16 There's a Williamsport story for you.

17 Dunmore's notices in the paper, the  
18 worst crime now that's in the paper isn't, you  
19 know, someone fell on a bicycle without a  
20 helmet, now it's our residents are beaten up  
21 behind their businesses and robbed, which is  
22 indicative of Williamsport and Hazleton, two  
23 other towns that didn't enforce ordinances,  
24 that didn't follow their zoning, which is all,  
25 like I said, legislative acts. This is

1 supposed to be done. It's one of your duties  
2 to do it.

3 So, I have to keep coming back,  
4 because the only thing I'm getting, I got from  
5 the Zoning Board solicitor, Take us to court.  
6 It was suggested here that I go to court, that  
7 I go to the County and file.

8 I pay a lot of taxes, it's my right  
9 as a taxpaying citizen to ask you and expect  
10 that the ordinances, especially surrounding my  
11 neighborhood where it's affecting me, should be  
12 enforced. I don't know what the problem is.

13 MR. HALLINAN: I agree with you. I  
14 mean, we've had this discussion.

15 MS. HALLINAN: Well, that's all I  
16 have.

17 MR. HALLINAN: And I am actually one  
18 of -- I mean, I think our ordinance says three  
19 units, and I want to start knocking it down to  
20 two units or more and start inspecting. I  
21 mean, it's -- we have to do something or we're  
22 going to lose our town, and I couldn't agree  
23 with you more.

24 MS. HALLINAN: We're losing our  
25 town.

1 MR. HALLINAN: Yes, we are.

2 MS. HALLINAN: We're losing our  
3 town. I lost all my neighbors. I've lost my  
4 neighbors. I mean, our kids aren't buying  
5 houses in Dunmore. Kids are moving away,  
6 they're buying houses in other towns. Nobody  
7 wants to stay here because they see the shape  
8 of the town, what's going on.

9 MR. HALLINAN: Yes.

10 MS. HALLINAN: Where, when I was  
11 getting married, when most of you were getting  
12 married, you couldn't find a home to buy in  
13 Dunmore. It was promised to someone's nephew  
14 or someone's daughter. There were no homes to  
15 buy. Now you can't -- I gave you all the  
16 certificates.

17 MR. HALLINAN: I know.

18 MS. HALLINAN: You know, over 43  
19 percent of Dunmore's homes are now rental  
20 units. So the families are going, quickly.

21 I'm trying to open your eyes to it.  
22 I've presented, I'm sure, so many pieces of  
23 paper that came from the ordinances, copies,  
24 but, yet, no one's been down there, no one's  
25 been fined. Everything stays the same.

1 I'm informing you, when someone  
2 moves out of an apartment, the illegally added  
3 apartment to the building. I don't get any  
4 kind of response. Nothing's changing. If  
5 nothing changes, nothing changes. And that's  
6 what's happening. Everything's getting worse,  
7 not better.

8 And we do have ordinances, which are  
9 our town's laws, per se, that aren't being  
10 followed, but someone was hired and is being  
11 paid to do it.

12 So, I pay my taxes, I follow the  
13 ordinances, it's not -- this is not an unusual  
14 thing for me to keep coming back and asking.  
15 You know, why should I have to go to court and  
16 pay four or five years for it to get dragged  
17 out? And why should the Borough have to pay?  
18 It's a cut-and-dry situation.

19 And no one wants to make an official  
20 comment so it's recorded in the minutes that we  
21 have anything to go back to, because I have to  
22 keep coming back because I've never gotten any  
23 answers.

24 I mean, I appreciate it, as I said,  
25 you all came down, about everything that was

1 done; but, once again, you have lives, you have  
2 other jobs, it's someone else's job to do this.  
3 You shouldn't have had to come down and take  
4 care of something that never should have been  
5 in the first place.

6 And it shouldn't -- yes, it should  
7 be the citizens that point it out to you, but  
8 I've been coming since May. The same thing,  
9 the same thing. I'm as sick of it as you are.  
10 Nothing changed. Okay. Thank you.

11 MR. HALLINAN: Thanks.

12 MR. MCHALE: Would anybody else like  
13 to address Council? I'm sorry, Pat.

14 MR. CLARK: Pat Clark, Jefferson  
15 Avenue. First, happy anniversary everyone on  
16 Council. It was the second meeting in  
17 September of last year where we first showed  
18 up.

19 Since that time, that was the first  
20 agreement with the landfill that was tabled, it  
21 was this meeting exactly a year ago. But since  
22 that time, as a direct result of our  
23 participation, the Borough stands to receive  
24 \$7,000,000 more, at least, in fees out of what  
25 would be phase two.

1 To date, we have not publicly  
2 received any thank you, nor would we want a  
3 thank you, because as you know, we wouldn't  
4 have advised signing that contract anyway.

5 What we do want is your help with  
6 the health of the Borough. As you know,  
7 there's been leachate, the smells, and  
8 everything else going on around it, and I  
9 believe you addressed it earlier.

10 Just as an update so Council's aware  
11 and that the Borough residents are aware, as  
12 well, there is no mandatory health study that  
13 is done by the Department -- the DEP, as part  
14 of this landfill expansion. They don't run one  
15 single solitary health study. It's not  
16 mandatory, they don't have to, so they never  
17 asked for one.

18 Friends of Lackawanna put together  
19 some people that reached out and initiated a  
20 health study with the Department of Health, the  
21 ATSDR and the CDC, and they're going to start  
22 running these health tests soon, specifically  
23 on air quality, and they're going to look at  
24 some water stuff and others.

25 We would like it and expect that

1 Council would back us up in this movement for  
2 the health studies, give us your full support,  
3 and include some letters with us to the  
4 departments so that these people are doing  
5 their job as part of their protection of our  
6 region, and not just rely on the legislation  
7 that's on the books right now that the DEP has.

8 Again, they don't need to do  
9 anything, we're pushing for it, and we're going  
10 to ask Council to formally, in helping with  
11 whatever letters you want, to participate in  
12 these health evaluations that these people are  
13 going to run on our area.

14 There is no one in this universe  
15 that can tell anyone here that the landfill's a  
16 safe thing for this region.

17 And the reasons that they've never  
18 done one single health study in Dunmore related  
19 to the landfill since it's been built, that's  
20 mind blowing. There's never been a health  
21 study done, physically of record, for  
22 this landfill. We're pushing to get that  
23 changed now for starters.

24 We would expect that as elected  
25 representatives of this town, you're going to

1 back us on this, help us with this health  
2 evaluation and put the Borough's weight behind  
3 this to make sure that everything's being done  
4 and being much more thorough than they were  
5 proposing initially.

6 So my question is, if we come to you  
7 with an outline, will the Borough support us in  
8 that and help us with these health agencies?

9 MR. MCHALE: I can speak for myself,  
10 yes.

11 MR. BURKE: Same here, yes.  
12 MR. CLARK: Is everyone on board  
13 with this?

14 MR. HALLINAN: Yeah.  
15 MR. VERRASTRO: Yeah. I never said  
16 that I didn't want to have --

17 MR. CLARK: Oh, I know. I'm just  
18 saying --

19 MR. VERRASTRO: Absolutely.  
20 MR. CLARK: I'm letting everyone  
21 know what's going on, because I think when we  
22 tell people that there's no health studies  
23 being done, that blows them away, right? How  
24 could you possibly say it's not dangerous if  
25 there's no data to back that up?

1 Ms. Scrimalli, would you be included  
2 in that?

3 MS. SCRIMALLI: (Indicating yes.)  
4 MR. CLARK: Okay. Thank you.  
5 MR. HALLINAN: Thanks, Pat.  
6 MR. MCHALE: Thanks, Pat.

7 MR. BURKE: And thank you, Pat, for  
8 doing all this work. I do appreciate it.

9 MR. MCHALE: Anybody else like to  
10 address Council tonight?  
11 (No response.)

12 MR. MCHALE: I'm seeing none.  
13 ATTY. CUMMINGS: Public officials.

14 MR. MCHALE: Mr. Judge, do you have  
15 anything tonight?

16 MR. JUDGE: No.  
17 MR. MCHALE: Chief Marchese?

18 CHIEF MARCHESE: Our new cars come  
19 in two weeks.

20 MR. MCHALE: They'll be in in two  
21 weeks?

22 CHIEF MARCHESE: Two weeks, yeah,  
23 our cars will be in.

24 MR. MCHALE: Good. Mr. Kearney?  
25 (No response.)

1 MR. MCHALE: Anybody else here that  
 2 I missed?  
 3 (No response.)  
 4 MR. MCHALE: Mr. Cummings?  
 5 ATTY. CUMMINGS: Nothing.  
 6 MR. MCHALE: Attorney Dempsey, do  
 7 you want to lead us off tonight?  
 8 MR. DEMPSEY: Sure. Just to address  
 9 Mrs. Hallinan. And, Tom, when a citizen makes  
 10 a complaint about zoning, that goes to the  
 11 Zoning Code Office, correct?  
 12 ATTY. CUMMINGS: Correct.  
 13 MR. DEMPSEY: And then they make a  
 14 determination on it?  
 15 ATTY. CUMMINGS: Correct.  
 16 MR. DEMPSEY: And then if that  
 17 determination is not to the satisfaction of the  
 18 citizen, then they have to appeal that to  
 19 the --  
 20 ATTY. CUMMINGS: If it's on a zoning  
 21 question, it gets appealed to the Zoning  
 22 Hearing Board. If it's on a code question, it  
 23 gets appealed to the Board of Code Review,  
 24 which in the Borough of Dunmore is the same  
 25 body but with different titles.

1 MR. DEMPSEY: Okay. But is there  
 2 anything we can do to help Mrs. Hallinan  
 3 address those concerns?  
 4 MR. MCHALE: She said she got an  
 5 opinion, which I've seen, as well.  
 6 ATTY. CUMMINGS: Oh, I got it. That  
 7 was given to me. I mailed it to her.  
 8 MR. MCHALE: Could he --  
 9 MS. HALLINAN: I can't appeal an  
 10 opinion.  
 11 MR. MCHALE: I apologize, I have a  
 12 stenographer. I don't mean to --  
 13 MS. HALLINAN: Okay.  
 14 MR. MCHALE: Could he give a  
 15 determination, an official determination, to  
 16 her?  
 17 ATTY. CUMMINGS: Sure.  
 18 MR. MCHALE: Could we instruct him  
 19 to do so? Mrs. Hallinan, go ahead. I'll let  
 20 you. So, if you need to speak, go ahead.  
 21 MS. HALLINAN: The code or the  
 22 Zoning Board hears appeals from determinations  
 23 from the code enforcement officer. I've been  
 24 asking since July of 2013 for a  
 25 determination --

1 MR. MCHALE: Not an opinion.  
 2 MS. HALLINAN: -- that I can go to  
 3 appeal. I will not pay for an application to  
 4 go with an opinion.  
 5 MR. MCHALE: Right. Well that was  
 6 my point I was making, Mrs. Hallinan.  
 7 MS. HALLINAN: Right.  
 8 MR. MCHALE: When you said an  
 9 opinion and you want a determination, could we  
 10 ask him for an official determination --  
 11 ATTY. CUMMINGS: Certainly.  
 12 MR. MCHALE: -- so she can move  
 13 forward, please?  
 14 ATTY. CUMMINGS: Yes.  
 15 MR. MCHALE: We'll do that tomorrow.  
 16 MS. HALLINAN: But you do see what  
 17 I've presented --  
 18 MR. MCHALE: I understand.  
 19 MS. HALLINAN: -- to you?  
 20 MR. MCHALE: I've seen everything  
 21 that you've sent to me.  
 22 MS. HALLINAN: No. I mean tonight.  
 23 MR. MCHALE: Yeah, I have. I have.  
 24 MS. HALLINAN: Okay.  
 25 MR. MCHALE: And, believe me, as we

1 spoke before, I have a similar situation. So I  
 2 understand your pain. I'm sorry, Michael.  
 3 MR. DEMPSEY: That's it. I just  
 4 wanted to clarify that, and if there's anything  
 5 that we could do, I want to make sure that  
 6 we're doing it.  
 7 MR. MCHALE: Yeah.  
 8 MR. DEMPSEY: And that's all I  
 9 wanted to address. I know she didn't get any  
 10 answers, I just wanted to address that.  
 11 MR. MCHALE: Yeah. Mr. Hallinan?  
 12 MR. HALLINAN: Kelly, I know that  
 13 I've spoken to you, and I want to tighten the  
 14 ordinances. I don't know what we could do to  
 15 stop this potential problem that's going to,  
 16 you know, it's going to ruin our neighborhoods  
 17 if we don't do anything. And enforcement is  
 18 what we have to do, and I don't know if it's  
 19 being done to a satisfactory level for  
 20 everybody involved.  
 21 And, I mean, even -- and please  
 22 don't take this the wrong way -- even if you  
 23 don't get the answer that you want to hear,  
 24 maybe it's what's going to set it in  
 25 motion that it doesn't happen anywhere else.

1 Because, I mean, this problem you said has been  
2 on this guy's house for 20 years. How many  
3 years was it a three? Well, whatever. I want  
4 to move forward.

5 MS. HALLINAN: 2009.

6 MR. HALLINAN: And I don't want to  
7 see this happen to anybody where people just  
8 put apartments in where nobody knows, and the  
9 enforcement, by the time that somebody says  
10 something to somebody or the Borough finds out,  
11 then there's not much we could do. I don't  
12 know what we could do, but I'm just --

13 MS. HALLINAN: You could pull their  
14 occupancy permit, that's all.

15 MR. HALLINAN: Well --

16 MS. HALLINAN: For that apartment.  
17 That's all. It's in the ordinances.

18 MR. HALLINAN: Okay. Well --

19 MS. HALLINAN: In the ordinances it  
20 tells you what to do.

21 MR. HALLINAN: I'm not a lawyer, and  
22 obviously so, you know, but --

23 UNKNOWN SPEAKER: The person sitting  
24 next to you is.

25 MR. MCHALE: Ma'am, I apologize,

1 we're on the record. Tommy, go ahead, please.

2 MR. HALLINAN: And like I said, I  
3 want to do anything to help our town and save  
4 our town from this kind of stuff that's going  
5 on. Okay?

6 And the other thing I said, and for  
7 the people that weren't here earlier that came  
8 in, it was just terrible what happened down  
9 there. I know that in my heart that we're  
10 going to get answers, and I'm probably speaking  
11 for everybody up here after we had our -- it  
12 was just totally wrong. I don't know the word  
13 to say how bad it was, and it was awful, and  
14 we're going to get to the bottom of it. Thank  
15 you.

16 MR. MCHALE: Mr. Verrastro?

17 MR. VERRASTRO: Yeah. I'm sorry  
18 about what happened with what's going on with  
19 the odors that came down there with the  
20 discharge. I don't know -- I literally found  
21 out about it -- what time did I talk to you  
22 yesterday, 4:00?

23 MR. MCHALE: Yeah.

24 MR. VERRASTRO: Because I wasn't  
25 around really this weekend. I was in and out.

1 I didn't even read the newspaper. I knew our  
2 fire department was sent down for an  
3 evacuation, but they go on those almost  
4 routinely. I didn't know it was the St. Joe's  
5 area, but they kind of have to go clear areas  
6 for gas leaks, stuff like that constantly.

7 I didn't get a real story on it  
8 until Sunday, and it sounds like they're  
9 starting to investigate it, and hopefully we'll  
10 get answers on it sooner than later.

11 Other than that, thanks for coming  
12 out tonight.

13 MR. MCHALE: Mr. Burke?

14 MR. BURKE: Yes. Mr. McGraw, Didgy  
15 is looking at signs now, or has been looking at  
16 signs for crosswalks just to warn about the  
17 crosswalks, and he's picked out a few that we  
18 should consider. We have to talk to the State,  
19 so I was going to ask Vito, if Vito's here --  
20 is Vito still here?

21 MR. JUDGE: He left.

22 MR. BURKE: Oh, he left. Okay.

23 I'll relay the message to Vito to try to get in  
24 contact with PennDOT for the ones that are on  
25 state roads and see if the State will pay for

1 them, and then the ones that are on our roads,  
2 of course, I mean, I don't think Council has  
3 any problems in getting warning signs about the  
4 crosswalks, right?

5 MR. HALLINAN: Timmy, just to  
6 interrupt you, I would say that on a state  
7 road, the crosswalks would be the Borough's  
8 responsibility.

9 MR. BURKE: Oh, really?

10 MR. HALLINAN: Yeah. Only when they  
11 repave or cover them over, then they would  
12 reapply them, but otherwise it's a Borough --

13 MR. VERRASTRO: We just need  
14 permission to install them.

15 MR. HALLINAN: Right. You just  
16 can't, you know --

17 MR. BURKE: Okay. I'll call Vito  
18 and ask him to get permission for them to be  
19 installed then.

20 MR. VERRASTRO: By install, Tim, I  
21 mean at a new site. If it's a site, it's an  
22 existing site --

23 MR. BURKE: Well we don't have any.  
24 We don't have any at all.

25 MR. VERRASTRO: Any what?

1 MR. BURKE: Any signs for --  
 2 MR. VERRASTRO: Right. But we have  
 3 designated crosswalks up in front of Bishop  
 4 O'Hara. That's already a designated crosswalk.  
 5 We don't need permission to reline that or to  
 6 put signs up there. It's if you wanted to add  
 7 one in between there.

8 MR. BURKE: Oh. If we're adding a  
 9 new crosswalk or something?

10 MR. VERRASTRO: Then you need to get  
 11 permission.

12 MR. BURKE: All right.

13 MR. VERRASTRO: So if there's one  
 14 that's already there that hasn't been  
 15 maintained properly or needs to be realigned  
 16 for some reason, we can just do it.

17 MR. BURKE: Right. Well, we'll have  
 18 to decide which ones are -- I know the one that  
 19 the Neighborhood Watch is talking about, they  
 20 want to add another one down by the Army tank  
 21 there. I don't know if we've ever had one  
 22 there.

23 MR. VERRASTRO: If there was lines  
 24 painted there in the past, it was one, and I  
 25 know we've been spraying lines there a couple

1 of times.

2 MR. BURKE: Was there one there  
 3 before, Gary, do you know?

4 MR. DUNCAN: Yeah.

5 MR. HALLINAN: That's going in,  
 6 Timmy. That's going to be put in.

7 MR. BURKE: Okay.

8 MR. HALLINAN: The State's going to  
 9 do it. They're behind. They didn't even get  
 10 to the --

11 MR. BURKE: Okay. No, I'm just  
 12 talking about the sign part about it. It  
 13 sounds as if there was a sign there before,  
 14 that's all.

15 MR. HALLINAN: No. But just the  
 16 crosswalk areas, and then anything else --

17 MR. BURKE: Okay. But, anyway,  
 18 Mr. McGraw, we're working on that to get that  
 19 done.

20 And, also, I feel bad for the people  
 21 that had to put up to the odor. I mean, I got  
 22 called from people from Scranton about it. I  
 23 didn't know about the Dunmore problem on the  
 24 Dunmore end of it until the next day. And it  
 25 was a horrifying smell down in the Green Ridge

1 section of Scranton.

2 I knew the line where it was coming  
 3 from was the leachate line, but it's not the  
 4 true dedicated line. Neither one of those  
 5 lines through Sport Hill or through the Green  
 6 Ridge section are dedicated lines, like the  
 7 newspaper says. They're not dedicated lines.

8 There's homes connected to each one  
 9 of those lines going up through Dunmore and  
 10 going down through Dunmore into Green Ridge,  
 11 they all have homes hooked onto them at a  
 12 certain point, and they all could empty into  
 13 either Roaring Brook or they could empty into  
 14 Lackawanna River. And it doesn't have to be a  
 15 rain event for them to leak into Roaring Brook  
 16 or the Lackawanna River, it could be just any  
 17 kind of obstruction of all that's happened in  
 18 the past where there wasn't a rain event and  
 19 sewage has gone into the bodies of water  
 20 existing where there's combined storm sewer  
 21 overflow.

22 So, I am upset that we weren't  
 23 informed by the Sewer Authority about this,  
 24 especially the St. Joe's situation, and even  
 25 the situation with the people at the hotel

1 which had to, you know, leave the hotel, too.

2 And the neighbors in Green Ridge, I  
 3 witnessed them walk around the street,  
 4 complain. I mean, my eyes were tearing walking  
 5 around that neighborhood, and they were tearing  
 6 before I even got out of my car, that's how bad  
 7 the smell was.

8 And it smelled to me -- and I'm --  
 9 okay, well, I'll wait to see what the results  
 10 are, but it smelled of a petroleum smell, which  
 11 I've never smelled before in the leachate  
 12 before, and I do work at the Sewer Authority.  
 13 But it was the worst smell I ever smelled down  
 14 there.

15 But, anyway, I would -- and I'm glad  
 16 Mike's on this. The first thing he said in the  
 17 executive session was he was really upset that  
 18 he was not informed on this, like the rest of  
 19 the residents, but I'm glad that Mike put  
 20 together a letter and we're attacking this now.

21 But, you know, you could get those  
 22 odors going up through Sport Hill Bunker Hill  
 23 in Dunmore, too. It's just the same as Green  
 24 Ridge section. That line goes down behind the  
 25 cemetery in Dunmore, which Dunmore residents

1 could get the same odors that the Scranton  
2 residents are getting at the top of Dunmore,  
3 bottom of Dunmore. So, just be aware of that.

4 And if you do smell an odor, a bad  
5 odor, report it, and hopefully we can get on it  
6 sooner and hopefully we'll get the right  
7 channels, like the Sewer Authority, to warn us  
8 about it ahead of time.

9 And that's all I have for tonight.  
10 Thank you.

11 MR. VERRASTRO: I'm sorry, I have  
12 one question. Now, were these odors coming up  
13 just out in the street manholes or were they  
14 actually coming up through buildings and inside  
15 the homes also? I still don't know where it  
16 started.

17 MR. BURKE: Well, they do know -- I  
18 could only -- what I witnessed was it was  
19 coming from --

20 MR. VERRASTRO: But why did they  
21 evacuate St. Joe's? It was inside St. Joe's or  
22 it was outside and they were getting the odor  
23 through the whole place because of open  
24 windows?

25 MR. BURKE: That, I can't answer.

1 Only the persons that were in there. DEP could  
2 answer that. But I just witnessed it coming  
3 from the manholes. I was not in St. Joe's and  
4 I was not in the hotel.

5 MR. MCHALE: Anything else, Tim?

6 UNKNOWN SPEAKER: They don't  
7 generally evacuate buildings --

8 MR. MCHALE: Anything else, Tim?

9 UNKNOWN SPEAKER: -- for outside  
10 odors.

11 MR. BURKE: No. That's all I have.

12 MR. MCHALE: Mrs. Scrimalli?

13 MS. SCRIMALLI: For those of you who  
14 have come later, you can view the letter that  
15 we're sending out. Michael has a copy of the  
16 letter that we're sending out regarding the  
17 leachate, or whatever, the leachate leakage or  
18 whatever verbiage we're using.

19 I feel very bad about this, as well,  
20 and we are looking for answers. So just check  
21 out the letter, and if you think you'd want to  
22 add some questions, please let us know.

23 Also, I just wanted to thank Chief  
24 Marchese and the police department for the  
25 arrest regarding Mr. Coar's attack. So thank

1 you so much. That's all I have tonight.  
2 Thanks again.

3 MR. MCHALE: Thank you, Mrs.  
4 Scrimalli. I kind of spoke quite a bit on the  
5 Sewer Authority issue, so I'll leave it at  
6 that. I don't think I have anything else  
7 either, so I'll look for a motion to adjourn.

8 MR. DEMPSEY: I'll make that motion.

9 MR. MCHALE: All in favor.

10 ALL MEMBERS: Aye.

11 MR. MCHALE: We're adjourned.

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

2  
3 I hereby certify that the proceedings and  
4 evidence are contained fully and accurately in the  
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