COUNCIL FOR THE BOROUGH OF DUNMORE

HEL D:
Monday, September 28, 2015

TIME:
7:00 P.M.

LOCATION:
DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

COUNCIL MEMBERS:
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

(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, 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.

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

MR. DEMPSEY: Yeah. Again, we weren't notified, so this is -- the letter's written on very short notice on my cell phone today because I was on the run. So, I can -- if you want me to, I could read it. It's very short and sweet and to the point. It's obviously open to interpretation and any additions. Obviously, the public's going to get to comment on it, and then once we have a final letter we can go ahead and --

MR. MCHALE: Exactly.

MR. DEMPSEY: -- send this out.

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

MR. DEMPSEY: Okay. (Reading) As you are aware, on Thursday, September 25th, the landfill discharged treated leachate into Scranton's combined water system creating a smell that prompted an evacuation of St. Joseph's Center and a hotel, both located in the Borough of Dunmore. Be advised that we have received numerous complaints regarding the obscene odors emanating from that discharge. Please be advised that no officials from either the landfill, DEP, or the Scranton Sewer Authority ever contacted the Dunmore Borough regarding the discharge of leachate.

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

We eagerly await word from you.

Sincerely, Dunmore Borough Council.

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

MR. MCHALE: As this is not on the agenda, we'll take a motion to pass this, a motion to second, then we'll open it up to public comment if anybody wants to comment on this or any other agenda items in number three. So, I'll look for a motion to send this letter.

MR. DEMPSEY: I'll make the motion.

MR. VERRASTRO: I'll second it.

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

MR. HALLINAN: On the question.

MR. MCHALE: Yeah.

MR. HALLINAN: I just want to make sure that everybody understands, this isn't going away. We, as a Council, sat in there, and we're thoroughly embarrassed about what happened here. This is wrong. There's no excuses. It's bad. When you're taking children out of St. Joe's, I don't know how much worse it could get. And we were never notified. It sounds like an excuse; it never happened. I read about it in the paper, and that's wrong. So, I just want to apologize to anybody. And, really, let's find out what happened and get to the bottom of this, because it's wrong. There's no excuse. That's all I have to say.

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

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

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

MR. DUNCAN: Mike, if you could --

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

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

MR. MCHALE: I don't know yet, Gary, honestly. What he said, he thinks that it's going to be wrought out of the DEP's hands.
This is Gene Barrett's interpretation of what he was, I guess, advised of this afternoon, that it will go to the EPA level after this, based on what comes back and how bad it is, I guess.

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

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

MR. MCHALE: I wish I had more, Gary. And when I do, I will let anybody know.

MR. DUNCAN: We'll put it on the website.

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

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

MR. DUNCAN: Okay. Thank you very much.

MR. MCHALE: You got it.

MR. DUNCAN: Thank you.

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

MR. DUNCAN: Okay.

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

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

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

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

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

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

MR. AMICO: Thank you very much.

The thing that bothered me the most -- not bothered me -- I guess it's wrong, but I'm almost embarrassed to say that it took, you know, kids at St. Joe's to be the prompting that's going to aggravate people in this town and say, Hey, you know, enough is enough.

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

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

MR. MCHALE: Thanks, Vince.

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

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

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

MR. AMICO: Right.

MR. HALLINAN: Thank you.

MR. AMICO: Thank you.

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

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

MR. DEMPSEY: That's --

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

MR. MCHALE: That's what we were told.
MR. DEMPSEY: It's questionable.

MS. TEEVAN: So, yeah, can you put allegedly or something to that effect?

MR. DEMPSEY: Sure.

MS. TEEVAN: Because it certainly doesn't seem like it was treated in any way, shape or form.

MR. DEMPSEY: Sure.

MR. MCHALE: Thank you. Anybody else on agenda items?

MS. CUFF: Hi. Sharon Cuff, Spring Street, Dunmore. Again, thanks for the letter, that's great. I'm glad you guys are on board with this.

A couple quick things. Was Dunmore Fire Department called? Was Dunmore Police Department called?

MR. MCHALE: Chief? Chief Marchese is back there.

CHIEF MARCHESE: (Inaudible).

MR. MCHALE: Pardon me?

CHIEF MARCHESE: My guys were out.

MR. MCHALE: Your guys were out. Do you know if -- our fire chief isn't here, do you know if the fire department was there?

CHIEF MARCESE: Yeah, they were out.

MR. MCHALE: Again, Mrs. Cuff, none of us knew. I was the first one to know on Friday night about 8:00. So, forgive me, I didn't --

MS. CUFF: Is there any reason why they didn't share that event with Council or --

MR. DEMPSEY: That's why we're sending the letter to ask and demanding, Why weren't we notified.

MS. CUFF: By your own people?

MR. DEMPSEY: Oh, by the fire department and the police department?

MS. CUFF: Yeah.

CHIEF MARCHESE: I texted my boss that night; he knew about it. I mean, at the time they didn't know what it was, and it was --

MS. CUFF: But there was an evacuation of two facilities in the Borough.

UNKNOWN SPEAKER: Who's your boss?

MR. MCHALE: Ma'am, we can't ask questions. I apologize, because we have a stenographer here, but --

MS. CUFF: Okay. I'm just, I find that concerning. Another thing, as far as EPA goes, I would assume that why EPA would be taking over would be because we have a Clean Air Act and a Clean Water Act, does that sound --

MR. MCHALE: It would be an assumption on my part, as well.

MS. CUFF: Okay.

MR. MCHALE: So I'll find out.

MS. CUFF: Okay. Yeah, I just thought that seemed like it might be something. And, let's see, what else. The other thing I did want to say: Again, I am thanking you guys, I think it's great you seem to be very concerned. People are exposed to things continually at a low level, and that's something you should be concerned about all the time, not just when it causes an evacuation. These are the concerns. Anyone who has any preexisting condition is at risk. It may not affect me particularly because I don't, but kids like St. Joe's, that are at St. Joe's, anyone who has asthma, anyone with any underlying conditions, those low levels that we're breathing in for all these years are a problem, and that's what everyone has been trying to get across. And I don't know why it's so difficult for people to understand that.

I'm glad that this has brought attention. I feel terrible that it had to take something like this, involving, like you said, our most at risk children. It doesn't get worse than that.

And, lastly, and I don't mean this to sound the way it's going to, but nobody called Dunmore Council, none of the community members. Guess whose phones were ringing nonstop from Friday morning. Friends of Lackawanna. Why do people feel comfortable calling members of Friends of Lackawanna to tell them what's going on and they don't feel comfortable calling the Borough Council?

MR. MCHALE: Thank you. Anybody else on agenda items?

(No response.)

MR. MCHALE: I'm seeing none, Tom.

ATTY. CUMMINGS: Do you have a
motion and a second?

MR. MCHALE: I have a motion and a second. Anybody else on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number four is a motion to authorize Council President and the Solicitor to negotiate final agreement for Street Light Energy Efficiency program with Constellation Energy.

MR. MCHALE: Do I have a motion?

MR. DEMPSEY: I'll make the motion.

MS. SCRIMALLI: I'll second that.

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

(No response.)

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

ALL MEMBERS: Aye.

ATTY. CUMMINGS: Item number five is a motion to accept the 2016 Minimum Municipal Obligations of the Police, Fire and Clerical pension plans as calculated by Duda Actuarial Consulting in Fort Washington, Pennsylvania.

MR. MCHALE: Do I have a motion?

MR. DEMPSEY: I'll make the motion.

MS. SCRIMALLI: I'll second that.

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

(No response.)

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

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number six is a motion to approve a resolution of support on the Dunmore School District's application for a Local Share Account Monroe County grant for trail safety improvements, vegetation control, trail grooming and trail surface restoration of the Bucktown Trail.

MR. MCHALE: Do I have a motion?

MR. HALLINAN: I'll make that motion.

MR. VERRASTRO: I'll second it.

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

(No response.)

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

Anybody else on the question?

(No response.)

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

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

MR. MCHALE: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number seven is a motion to approve a letter of support on St. Anthony's Memorial Playground's application for a Local Share Account Monroe County grant for continued revitalization of the playground.
MR. BURKE: I'll make that motion.

MR. VERRASTRO: I second.

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

(No response.)

MR. MCHALE: Mr. Ruggiero, do you happen to know what the amount of this grant is?

MR. RUGGIERO: I do not.

MR. MCHALE: Off the top of my head I'm not quite sure either. I don't think it's in --

MR. RUGGIERO: It's not in the letter.

MR. MCHALE: It's not in the letter. But, again, this is their application. We have to sponsor it. It is our approval and support of this program in beautifying a great park in our town.

Anybody else on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number eight is personal matters for motion to hire Patrick Judge as part-time employee, Borough of Dunmore Public Works.

MR. MCHALE: Do I have a motion?

MS. SCRIMALLI: I'll make that motion.

MR. HALLINAN: I'll second it.

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

(No response.)

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

ALL MEMBERS: Aye.

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

ATTY. CUMMINGS: Item number nine would be public comment commencing with Gerard Hetman, Lackawanna County representative.

MR. HETMAN: Good evening, Council.

Gerard Hetman from Lackawanna County's Community Relations Department.

Beginning this evening, we would just like to thank Council and everyone involved in our two big fall events, that being our Heros Day Public Safety Fair, and also our Senior Health Fair. I see some familiar faces in here that were present for both of those events.

We thank everyone who came, everyone who was there as an exhibitor, participant, and also anyone who helped spread the word with that, either by word of mouth, social media, hanging up our flyers. We really appreciate it.

We saw several hundred people come out for each event, and we had a great crowd, in particular, from the Dunmore Senior Center for the Senior Fair. We got a Colts bus to come up and take probably about 30 folks who are seniors that are members to the Senior Health Fair.

So thank you to everyone who participated in that. We appreciate it.

The way that this falls now, we're just coming out of those events and we're just going into the budget season for the County budget. So we would just like to talk about it this evening.

The first is the Commissioners Annual Community Blood Drive. It takes place tomorrow, Wednesday -- or, excuse me, on Wednesday, September 30th, from 10 a.m. to 4 p.m. at the University of Scranton's John Long Center. Walk-ins are welcome, or if someone wants to set up an appointment, they could call 1-800-RED-CROSS or go to www.redcrossblood.org. It does require a photo ID.

Second is our annual fall fishing derby run by the County's Parks and Recreation Department. It takes place at Merli-Sarnoski Park on Saturday, October 3rd, from 11 a.m. to 1 p.m. It's open to children ages 4 to 12.

The cost is $5 per child to fish.

Now, we're hoping, and you could correct me on this, hopefully I'm right, we've tried to avoid conflicts with other events on that date and time. Sometimes there's some other youth fishing events around the County
that take place in the fall that fall on the
same day as the fishing derby, and this year we
think we've avoided them all. I hope we're
correct. It's open to the public, so we would
love to see everyone there.

And just lastly, the County Library
Systems American Masters Lecture Series has
their next installment for the fall coming up.
The guest speaker is James McPherson. He's a
Pulitzer Prize winning author and historian.
He specializes in the Civil War.
So his topic is Abraham Lincoln,
Jefferson Davis, and the end of the Civil War.
It's Thursday, November 5th, 7 p.m. at the
Scranton Cultural Center. Tickets are free to
any Lackawanna County library system
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

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

MR. MCHALE: Thank you.
MR. HALLINAN: Thank you.
MS. SCRIMALLI: Thank you.
ATTY. CUMMINGS: Next is Gary Duncan
under public comment.
MR. DUNCAN: Again, Gary Duncan, 117
Barton Street, Dunmore. Just a few things,
and, Vito, I want to ask you, if we have a
Neighborhood Watch meeting, I want to make sure
everybody got -- we had it typed up, and I hope
everybody got the e-mail, I hope they were able
to open the attachments, and if you weren't --
MR. HALLINAN: I get it the second
way. I don't know --
MR. DUNCAN: Okay. You got it the
second way. Okay. But you got it?
MR. HALLINAN: Yeah.
MR. DUNCAN: So, everybody's got
them. Vito, you're here tonight, I wanted to
ask you, it's come up in a few of the
Neighborhood Watch meetings, and I think it's a
terrible point, about the bike helmets on
the children under 12. And I know you do a lot
of grant writing and things like that, and it
came up last week at the meeting, I was
wondering, is there any way, you know when we
do the National Night Out and there's a lot of
children that are involved in that, if there's
any way we could get grant money or anything or
something that you would know about and you
could look at?
And it'd be a two for, maybe get the
grant money or get some free bike helmets and
stuff so that we could give them out to the
kids that night. I mean, it's a state law, I
believe it's a state law, that children 12 and
under have to have helmets.
When I was coming down Delaware
Street one night, there was a dad with his
two children, one with training wheels, right
in the middle of Delaware Street, no helmets.
So --
MR. RUGGIERO: Mr. McGraw grabbed me
last meeting and he did mention the same thing,
and I thought it was a good idea to contact the
Chief and we're going to try to find some
funding that we could do something like that at
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Drinker Street and Holy Cross, I know Chief
Marchese is here tonight and the PD, another
thing that came up, and I don't want to wait
until next month's Neighborhood Watch meeting,
we got a report that the traffic speed lights
up by Holy Cross are out, and so I don't know
if you folks have been hearing anything about
that, or Bill, or any of the PD.
I know you weren't at the meeting
last week, Bill, but Tommy Richardson was with
us, and, you know, I came down the street this
morning, and to tell you the truth, I didn't
notice if the lights were on or off. Didge?
Thanks.

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

MR. DUNCAN: Who do I --
MR. JUDGE: The State always handled
that.
MR. DUNCAN: Who do we go to,
PennDOT?

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

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

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

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

MR. HALLINAN: Right.

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

MR. DUNCAN: What do we do about the lights for now? Anything we can do? I just, I hate to see anybody get hit there. There is a crossing guard there when I go up and down at different times, but I know what people do, the lights -- I mean, I'm in healthcare, it's a visual cue. Just so that we're aware of it, if you hear anything.

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

MR. DUNCAN: All right. Thanks.

Just moving right along, it came up at the meeting last week again with the members of the police department about Clay Avenue and Blakely Street, the bus stop area over there. I have to tell you folks, and, Chief, if you want to get it back to the guys on day shift and on second shift, the parents got in touch with me, they're thrilled because the police presence is over there, you know, for the school pickup and drop off times. So, just, from the Neighborhood Watch, please let the guys know. The neighbors over there on Clay Avenue, they really do appreciate it. They had some serious concerns about their children.

So, you know, on behalf of the Neighborhood Watch, we thank you folks for getting right out and getting that addressed.

Last -- well, a few things.

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

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

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

The Council members that were there last week, on behalf of the group, it's appreciated.

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

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

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

The next Dunmore Neighborhood Watch meeting, I want to thank Chief DeNaples, I reached out to Chief last week, October's fire safety month. Last year, for the Council
members that weren't here for that meeting, he sent two guest speakers down from the fire department. They did a really wonderful job. We had about 30 people at that meeting, and everybody left impressed because they went over a lot of safety things.

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

MR. MCHALE: Thank you.
MS. SCRIMALLI: Thank you, too.
MR. DUNCAN: Thank you.
MR. VERRASTRO: Gary, I'm sorry,
with that, did you start to plan anything yet for mischief night with everybody?

MR. DUNCAN: No. You asked me that last year.
MR. VERRASTRO: I know. I ask you every year. I'm trying.
MR. DUNCAN: I know. And you asked me the year before, and I'm not trying to blow you off.

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

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

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

MR. VERRASTRO: Yeah. No, like I said, just to go out on your porch and have a cup of coffee, just the presence of adults outside that night will --

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

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

They're just --

MR. VERRASTRO: No, I don't want them to walk.
MR. DUNCAN: Yeah. That's -- we have those guys for that.
MR. VERRASTRO: Okay.
MR. DUNCAN: Okay?
MR. VERRASTRO: Thank you.
MR. DUNCAN: Thank you.
ATTY. CUMMINGS: General public comment.

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

MR. MCHALE: Your question is, do we have it?
MS. HALLINAN: Do you have it?
MR. MCHALE: Yes, we have it. Yes.
MS. HALLINAN: Has it been looked at?

MR. MCHALE: Tommy --
MS. HALLINAN: Is there anything I could take back to the neighborhood property owners that --
MR. MCHALE: -- do you want to address this?
ATTY. CUMMINGS: I haven't done anything. It was just distributed by e-mail.
MR. MCHALE: Yeah.

ATTY. CUMMINGS: And it just gets forwarded to the code office and reviewed, and then I'll get an opinion on it.

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

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

You know, it's supposed to be two parking spots per rental unit, aside the fact we're not zoned for rental units. There are no parking spots for these people, so they are not legally there. They don't go with the ordinances. They are against the ordinances. The ordinances are not being enforced.

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

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

They're not being enforced. Otherwise, we wouldn't have the problems we're having. I have something else here, which I said I wouldn't do anymore, spend any more money on ink, but I had to. What egged me on to do this was when there were multiple violations found by the Borough in the apartment house next to me. I'm not talking about building and construction code violations, that's nothing what I'm talking about. I don't care if they're violating the building and construction code, because they don't belong there anyway.

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

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

You've been to my neighborhood, you've seen what happened. That was a beautiful neighborhood, single family homes. People took care of their properties, they had pride in their neighborhood, they had pride in their town. There's none of that down there.

Some of you have seen it.

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

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

There's a Williamsport story for you.

Dunmore's notices in the paper, the worst crime now that's in the paper isn't, you know, someone fell on a bicycle without a helmet, now it's our residents are beaten up behind their businesses and robbed, which is indicative of Williamsport and Hazleton, two other towns that didn't enforce ordinances, that didn't follow their zoning, which is all, like I said, legislative acts. This is
supposed to be done. It's one of your duties to do it.
So, I have to keep coming back, because the only thing I'm getting, I got from the Zoning Board solicitor, Take us to court. It was suggested here that I go to court, that I go to the County and file.
I pay a lot of taxes, it's my right as a taxpaying citizen to ask you and expect that the ordinances, especially surrounding my neighborhood where it's affecting me, should be enforced. I don't know what the problem is.
MR. HALLINAN: I agree with you. I mean, we've had this discussion.
MS. HALLINAN: Well, that's all I have.
MR. HALLINAN: And I am actually one of -- I mean, I think our ordinance says three units, and I want to start knocking it down to two units or more and start inspecting. I mean, it's -- we have to do something or we're going to lose our town, and I couldn't agree with you more.
MS. HALLINAN: We're losing our town.
MR. HALLINAN: Yes, we are.
MS. HALLINAN: We're losing our town. I lost all my neighbors. I've lost my neighbors. I mean, our kids aren't buying houses in Dunmore. Kids are moving away, they're buying houses in other towns. Nobody wants to stay here because they see the shape of the town, what's going on.
MR. HALLINAN: Yes.
MS. HALLINAN: Where, when I was getting married, when most of you were getting married, you couldn't find a home to buy in Dunmore. It was promised to someone's nephew or someone's daughter. There were no homes to buy. Now you can't -- I gave you all the certificates.
MR. HALLINAN: I know.
MS. HALLINAN: You know, over 43 percent of Dunmore's homes are now rental units. So the families are going, quickly.
I'm trying to open your eyes to it. I've presented, I'm sure, so many pieces of paper that came from the ordinances, copies, but, yet, no one's been down there, no one's been fined. Everything stays the same.
I'm informing you, when someone moves out of an apartment, the illegally added apartment to the building. I don't get any kind of response. Nothing's changing. If nothing changes, nothing changes. And that's what's happening. Everything's getting worse, not better.
And we do have ordinances, which are our town's laws, per se, that aren't being followed, but someone was hired and is being paid to do it.
MR. HALLINAN: Thanks.
MR. MCHALE: Would anybody else like to address Council? I'm sorry, Pat.
MR. CLARK: Pat Clark, Jefferson Avenue. First, happy anniversary everyone on Council. It was the second meeting in September of last year where we first showed up. Since that time, that was the first agreement with the landfill that was tabled, it was this meeting exactly a year ago. But since that time, as a direct result of our participation, the Borough stands to receive $7,000,000 more, at least, in fees out of what would be phase two.
To date, we have not publicly received any thank you, nor would we want a thank you, because as you know, we wouldn’t have advised signing that contract anyway.

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

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

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

We would like it and expect that Council would back us up in this movement for the health studies, give us your full support, and include some letters with us to the departments so that these people are doing their job as part of their protection of our region, and not just rely on the legislation that’s on the books right now that the DEP has.

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

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

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

We would expect that as elected representatives of this town, you’re going to back us on this, help us with this health evaluation and put the Borough’s weight behind this to make sure that everything’s being done and being much more thorough than they were proposing initially.

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

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

MR. BURKE: Same here, yes.

MR. CLARK: Is everyone on board with this?

MR. HALLINAN: Yeah.

MR. VERRASTRO: Yeah. I never said that I didn’t want to have --

MR. CLARK: Oh, I know. I’m just saying --

MR. VERRASTRO: Absolutely.

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

Ms. Scrimalli, would you be included in that?

MS. SCRIMALLI: (Indicating yes.)

MR. CLARK: Okay. Thank you.

MR. HALLINAN: Thanks, Pat.

MR. MCHALE: Thanks, Pat.

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

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

(No response.)

ATTY. CUMMINGS: Public officials.

MR. JUDGE: No.

CHIEF MARCHESE: Our new cars come in two weeks.

MR. MCHALE: They’ll be in in two weeks?

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

MR. MCHALE: Good. Mr. Kearney?

(No response.)
MR. MCHALE: Anybody else here that I missed?

(No response.)

MR. MCHALE: Mr. Cummings?

ATTY. CUMMINGS: Nothing.

MR. MCHALE: Attorney Dempsey, do you want to lead us off tonight?

MR. DEMPSEY: Sure. Just to address Mrs. Hallinan. And, Tom, when a citizen makes a complaint about zoning, that goes to the Zoning Code Office, correct?

ATTY. CUMMINGS: Correct.

MR. DEMPSEY: And then they make a determination on it?

ATTY. CUMMINGS: Correct.

MR. DEMPSEY: And then if that determination is not to the satisfaction of the citizen, then they have to appeal that to the --

ATTY. CUMMINGS: If it's on a zoning question, it gets appealed to the Zoning Hearing Board. If it's on a code question, it gets appealed to the Board of Code Review, which in the Borough of Dunmore is the same body but with different titles.

MR. DEMPSEY: Okay. But is there anything we can do to help Mrs. Hallinan address those concerns?

MR. MCHALE: She said she got an opinion, which I've seen, as well.

ATTY. CUMMINGS: Oh, I got it. That was given to me. I mailed it to her.

MR. MCHALE: Could he --

MS. HALLINAN: I can't appeal an opinion.

MR. MCHALE: I apologize, I have a stenographer. I don't mean to --

MS. HALLINAN: Okay.

MR. MCHALE: Could he give a determination, an official determination, to her?

ATTY. CUMMINGS: Sure.

MR. MCHALE: Could we instruct him to do so? Mrs. Hallinan, go ahead. I'll let you. So, if you need to speak, go ahead.

MS. HALLINAN: The code or the Zoning Board hears appeals from determinations from the code enforcement officer. I've been asking since July of 2013 for a determination --

MR. MCHALE: Not an opinion.

MS. HALLINAN: -- that I can go appeal. I will not pay for an application to go with an opinion.

MR. MCHALE: Right. Well that was my point I was making, Mrs. Hallinan.

MS. HALLINAN: Right.

MR. MCHALE: When you said an opinion and you want a determination, could we ask him for an official determination --

ATTY. CUMMINGS: Certainly.

MR. MCHALE: -- so she can move forward, please?

ATTY. CUMMINGS: Yes.

MR. MCHALE: We'll do that tomorrow.

MS. HALLINAN: But you do see what I've presented --

MR. MCHALE: I understand.

MS. HALLINAN: -- to you?

MR. MCHALE: I've seen everything that you've sent to me.

MS. HALLINAN: No. I mean tonight.

MR. MCHALE: Yeah, I have. I have.

MS. HALLINAN: Okay.

MR. MCHALE: And, believe me, as we spoke before, I have a similar situation. So I understand your pain. I'm sorry, Michael.

MR. DEMPSEY: That's it. I just wanted to clarify that, and if there's anything that we could do, I want to make sure that we're doing it.

MR. MCHALE: Yeah.

MR. DEMPSEY: And that's all I wanted to address. I know she didn't get any answers, I just wanted to address that.

MR. MCHALE: Yeah. Mr. Hallinan?

MR. HALLINAN: Kelly, I know that I've spoken to you, and I want to tighten the ordinances. I don't know what we could do to stop this potential problem that's going to, you know, it's going to ruin our neighborhoods if we don't do anything. And enforcement is what we have to do, and I don't know if it's being done to a satisfactory level for everybody involved.

And, I mean, even -- and please don't take this the wrong way -- even if you don't get the answer that you want to hear, maybe it's what's going to set it in 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.

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,

26 I didn’t even read the newspaper. I knew our
27 fire department was sent down for an
28 evacuation, but they go on those almost
29 routinely. I didn’t know it was the St. Joe’s
30 area, but they kind of have to go clear areas
31 for gas leaks, stuff like that constantly.
32 I didn’t get a real story on it
33 until Sunday, and it sounds like they’re
34 starting to investigate it, and hopefully we’ll
35 get answers on it sooner than later.
36 Other than that, thanks for coming
37 out tonight.
38 MR. MCHALE: Mr. Burke?
39 MR. BURKE: Yes. Mr. McGraw, Didgy
40 is looking at signs now, or has been looking at
41 signs for crosswalks just to warn about the
42 crosswalks, and he’s picked out a few that we
43 should consider. We have to talk to the State,
44 so I was going to ask Vito, if Vito’s here --
45 is Vito still here?
46 MR. JUDGE: He left.
47 MR. BURKE: Oh, he left. Okay.
48 I’ll relay the message to Vito to try to get in
49 contact with PennDOT for the ones that are on
50 state roads and see if the State will pay for
51 them, and then the ones that are on our roads,
52 of course, I mean, I don’t think Council has
53 any problems in getting warning signs about the
54 crosswalks, right?
55 MR. HALLINAN: Timmy, just to
56 interrupt you, I would say that on a state
57 road, the crosswalks would be the Borough’s
58 responsibility.
59 MR. BURKE: Oh, really?
60 MR. HALLINAN: Yeah. Only when they
61 repave or cover them over, then they would
62 reapply them, but otherwise it’s a Borough --
63 MR. VERRASTRO: We just need
64 permission to install them.
65 MR. HALLINAN: Right. You just
66 can’t, you know --
67 MR. BURKE: Okay. I’ll call Vito
68 and ask him to get permission for them to be
69 installed then.
70 MR. VERRASTRO: By install, Tim, I
71 mean at a new site. If it’s a site, it’s an
72 existing site --
73 MR. BURKE: Well we don’t have any.
74 We don’t have any at all.
75 MR. VERRASTRO: Any what?
MR. BURKE: Any signs for --
MR. VERRASTRO: Right. But we have designated crosswalks up in front of Bishop O'Hara. That's already a designated crosswalk. We don't need permission to reline that or to put signs up there. It's if you wanted to add one in between there.
MR. BURKE: Oh. If we're adding a new crosswalk or something?
MR. VERRASTRO: Then you need to get permission.
MR. BURKE: All right.
MR. VERRASTRO: So if there's one that's already there that hasn't been maintained properly or needs to be realigned for some reason, we can just do it.
MR. BURKE: Right. Well, we'll have to decide which ones are -- I know the one that the Neighborhood Watch is talking about, they want to add another one down by the Army tank there. I don't know if we've ever had one there.
MR. VERRASTRO: If there was lines painted there in the past, it was one, and I know we've been spraying lines there a couple of times.
MR. BURKE: Was there one there before, Gary, do you know?
MR. DUNCAN: Yeah.
MR. HALLINAN: That's going in, Timmy. That's going to be put in.
MR. BURKE: Okay.
MR. HALLINAN: The State's going to do it. They're behind. They didn't even get to the --
MR. BURKE: Okay. No, I'm just talking about the sign part about it. It sounds as if there was a sign there before, that's all.
MR. HALLINAN: No. But just the crosswalk areas, and then anything else --
MR. BURKE: Okay. But, anyway,
Mr. McGraw, we're working on that to get that done.
And, also, I feel bad for the people that had to put up to the odor. I mean, I got called from people from Scranton about it. I didn't know about the Dunmore problem on the Dunmore end of it until the next day. And it was a horrifying smell down in the Green Ridge section of Scranton.
I knew the line where it was coming from was the leachate line, but it's not the true dedicated line. Neither one of those lines through Sport Hill or through the Green Ridge section are dedicated lines, like the newspaper says. They're not dedicated lines.
There's homes connected to each one of those lines going up through Dunmore and going down through Dunmore into Green Ridge, they all have homes hooked onto them at a certain point, and they all could empty into either Roaring Brook or they could empty into Lackawanna River. And it doesn't have to be a rain event for them to leak into Roaring Brook or the Lackawanna River, it could be just any kind of obstruction of all that's happened in the past where there wasn't a rain event and sewage has gone into the bodies of water existing where there's combined storm sewer overflow.
So, I am upset that we weren't informed by the Sewer Authority about this, especially the St. Joe's situation, and even the situation with the people at the hotel which had to, you know, leave the hotel, too.
And the neighbors in Green Ridge, I witnessed them walk around the street, complain. I mean, my eyes were tearing walking around that neighborhood, and they were tearing before I even got out of my car, that's how bad the smell was.
And it smelled to me -- and I'm -- okay, well, I'll wait to see what the results are, but it smelled of a petroleum smell, which I've never smelled before in the leachate before, and I do work at the Sewer Authority. But it was the worst smell I ever smelled down there.
But, anyway, I would -- and I'm glad Mike's on this. The first thing he said in the executive session was he was really upset that he was not informed on this, like the rest of the residents, but I'm glad that Mike put together a letter and we're attacking this now.
But, you know, you could get those odors going up through Sport Hill Bunker Hill in Dunmore, too. It's just the same as Green Ridge section. That line goes down behind the cemetery in Dunmore, which Dunmore residents
could get the same odors that the Scranton residents are getting at the top of Dunmore, bottom of Dunmore. So, just be aware of that.

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

And that's all I have for tonight.

Thank you.

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

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

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

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

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

MR. MCHALE: Anything else, Tim?

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

MR. MCHALE: Anything else, Tim?

UNKNOWN SPEAKER: -- for outside odors.

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

MR. MCHALE: Mrs. Scrimalli?

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

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

Also, I just wanted to thank Chief Marchese and the police department for the arrest regarding Mr. Coar's attack. So thank you so much. That's all I have tonight.

Thanks again.

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

MR. DEMPSEY: I'll make that motion.

MR. MCHALE: All in favor.

ALL MEMBERS: Aye.

MR. MCHALE: We're adjourned.