COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:
Monday, September 12, 2016

TIME:
7:00 P.M.

LOCATION:
DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

COUNCIL MEMBERS:
MICHAEL MCHALE, President
MICHAEL DEMPSEY, Vice President
TIMOTHY BURKE
CAROL SCRIMALLI
THOMAS HALLINAN
VINCE AMICO
SAL VERRASTRO
THOMAS P. CUMMINGS, Esquire, Solicitor

MARIA McCOOL, RPR
OFFICIAL COURT REPORTER
ATTY. CUMMINGS: Mrs. Scrimalli.

MS. SCRIMALLI: Present.

ATTY. CUMMINGS: Mr. Burke.

MR. BURKE: Present.

ATTY. CUMMINGS: Mr. Verrastro.

MR. VERRASTRO: Present.

ATTY. CUMMINGS: Mr. Amico.

MR. AMICO: Present.

ATTY. CUMMINGS: Mr. Hallinan.

MR. HALLINAN: Present.

ATTY. CUMMINGS: Mr. Dempsey.

MR. DEMPSEY: Present.

ATTY. CUMMINGS: Mr. McHale.

MR. MCHALE: Here.

ATTY. CUMMINGS: Before we get to public comment on agenda items, a minor amendment to the agenda this evening. Item 5B will be an ordinance approving the indebtedness of $600,000 which will pay the off the bridge TAN loan that we utilized at last meeting to acquire the new Pak Masters. It's just a swap out of equal dollars.

Under personnel matters, the issue
that will come up this evening is the item of
borough manager. And it's my information that
there will be a motion to be discussed
regarding the retention of Vito Ruggiero under
terms and conditions that will be put into
motion if it's forthcoming.

And item number seven is not
actually a motion to approve the LERTA but to
approve the publication for public hearing
prior to this September 26th meeting at which
time the hearing will be conducted, notice will
have gone out and then Council may act on it.
That being said, public comment on agenda
items.

MR. MCHALE: Anybody like to address
Council on agenda items tonight? Gary.

MR. DUNCAN: On the LERTA issue, if
I could just ask, 121 South Apple Street,
that's the former -- the school that burned
down. And then we're going to talk about it
again on 9/26. What are we looking at putting
in there if you could explain it a little bit
more to me or -- Tom, I'm sorry.

ATTY. CUMMINGS: It's application
for LERTA. And I don't have the exact
particulars. But in essence, they -- say right now it's assessed right now at $10,000. If they had this approval and they come in and improve the property, then the excess from 10 to new assessment would be tax exempt for declining period of time.

And basically we're not losing anything. We're not picking up money on day one. But it's an incentive to improve and then we would pick up money at a future date.

And that will be -- all the particulars will be clearly set forth at the hearing prior to next Council meeting. And it will be public comment and question period.

MR. DUNCAN: So we'll have that one last opportunity.

ATTY. CUMMINGS: Absolutely, yeah.

MR. DUNCAN: Thanks, guys. Thank you.

MR. MCHALE: Thanks, Mr. Duncan. Anybody else like to address on agenda items right now?

(No response.)


MS. CUFF: Can I just --
MR. MCHALE: Wait. Wait. You got to come up to the -- we're on the record. I apologize.

MS. CUFF: Hi. Sharon Cuff, 315 Spring Street. I just actually wanted him to read it again. He was going so fast I couldn't catch a lot of it. That's all.

MR. MCHALE: The amendments.

ATTY. CUMMINGS: Oh, I'm sorry. 5B, will be to approve the ordinance for borrowing a 600,000 which will refund this TAN bridge loan of 600,000 that we did last month. So there is no really new money. It's just a different category of money.

Personnel matters will be the matter of Borough Manager. It's my understanding that the retention or discussion regarding Vito Ruggiero for that position will be -- may be open for motion.

And number seven where it says we will approve the LERTA, has been converted to we will approve a public hearing on the LERTA and then consider it at the next meeting.

MR. BURKE: Tom, when will the public hearing be?
ATTY. CUMMINGS: If the next meeting is September 26th, then it will be at 7:00 on the 26th. And that way, the meeting can just start late and we won't be hamstrung if it's a 10 minute hearing or --

MR. BURKE: It will be before our meeting.

ATTY. CUMMINGS: Right.

MR. MCHALE: Thank you, Tom.

ATTY. CUMMINGS: Is that okay now?

MR. MCHALE: Number four.

ATTY. CUMMINGS: Item number four is a motion to approve the minutes.

MR. BURKE: I'll make that motion.

MR. DEMPSEY: 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: Opposed?

(No response.)

MR. MCHALE: The ayes have it and so moved.
ATTY. CUMMINGS: 5A, motion to approve and pay the open bills.

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: 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: 5B is approval of a motion to approve ordinance number one of 2016 and ordinance increasing the indebtedness of the Borough of Dunmore general obligation monies by $600,000. Full copy of the ordinance was and is available at the Borough Building for review.

MR. DEMPSEY: I'll make that motion.

MR. HALLINAN: I'll second it.

MR. MCHALE: I have a motion and a
second. On the question. Quickly on the question, as Mr. Cummings said, this is $600,000 we borrowed for the garbage trucks that you see going around our town. There were three of them, approximately $200,000 each.

This was just interim financing until we have to have approval through state which we knew was coming. But in order to get the trucks on time and get them working, we did a bridge to this. All this does is swap that money out for a five year loan. I think it's a five year loan, Tom.

ATTY. CUMMINGS: Yes. Which is less than the life expectancy of the trucks.

MR. MCHALE: Which is much less than the life expectancy of the trucks at a very favorable rate of -- Tom --

ATTY. CUMMINGS: I'm sorry, I don't have that.

MR. MCHALE: Okay.

ATTY. CUMMINGS: I know it was --

MR. MCHALE: It was in the 2s, I believe, Tom.

ATTY. CUMMINGS: I apologize. I don't have it.
MR. MCHALE: No, no. That's my fault. 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 six is personnel matters, a motion to consider retention of Vito Ruggiero for Borough Manager.

MR. DEMPSEY: Tom, I make a motion to hire Vito Ruggiero as Borough Manager at a starting salary of $95,000 plus benefits. Start date to be per Mr. Ruggiero's availability.

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

MR. VERRASTRO: I'll second it.

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

(No response.)
MR. MCHALE: Tom, do you want to do a roll call, please?

ATTY. CUMMINGS: Certainly.

Mrs. Scrimalli.

MS. SCRIMALLI: Yes.

ATTY. CUMMINGS: Mr. Burke.

MR. BURKE: No.

ATTY. CUMMINGS: Mr. Verrastro.

MR. VERRASTRO: Yes.

ATTY. CUMMINGS: Mr. Amico.

MR. AMICO: No.

ATTY. CUMMINGS: Mr. Hallinan.

MR. HALLINAN: Yes.

ATTY. CUMMINGS: Mr. Dempsey.

MR. DEMPSEY: Yes.

ATTY. CUMMINGS: Mr. McHale.

MR. MCHALE: Yes.

ATTY. CUMMINGS: 5-2, pass. Item number seven is a motion to approve a public hearing on a LERTA application for the premises located at 121 South Apple Street, Dunmore, with proposed ordinance to follow at the meeting thereafter.

MS. SCRIMALLI: I'll make that motion.
MR. MCHALE: I have a motion. Do I have a second?

MR. DEMPSEY: I'll second it.

MR. MCHALE: On the question. Tom, can we do this for 6:45 or would you rather it at 7:00?

ATTY. CUMMINGS: Whatever Council's preference is.

MR. MCHALE: Anybody? Okay, let's just leave it at 7:00. Public hearing at 7:00 with the --

ATTY. CUMMINGS: The meeting is also published for 7:00. So it will follow immediately thereafter. You can start late but not early.

MR. MCHALE: 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 a motion to approve a resolution for community development fund utilization of the Laurel Street Storm Water Project.

MS. SCRIMALLI: I'll make that motion.

MR. BURKE: 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: Opposed?

(No response.)

MR. MCHALE: The ayes have it and so moved. Tommy, for one second. Joe, I should have asked on the question. This is the Schautz property?

MR. LORINCE: Yes, this has been going on for the last probably 10 years. It's actually Laurel Street's a big -- Hill Street and on the side of the road there's two gullies. What happens is, the water goes into the gullies. The cars fall in them.
So what they are actually going to do is put all new storm water in there and repave the whole road. It's going to be reconstructed.

MR. MCHALE: And that's all through Com D money?

MR. LORINCE: All through Com D.

MR. MCHALE: Thank you, Joe.

MR. BURKE: I'd like to say too, this is one project that Sal's father and myself too were on for a long time.

MR. LORINCE: Yeah, it was.

MR. BURKE: This is something Sal wanted done really bad and myself too.

MR. MCHALE: Joe, thank you for getting it done. Number nine.

ATTY. CUMMINGS: Number -- I'm sorry, was there a vote on that?

MR. MCHALE: Was there a vote on that?

MR. DEMPSEY: I don't think so.

MR. MCHALE: All those in favor signify by saying aye -- We did vote. We did vote. And then I said I came back on the question. I apologize that it was afterward.
Number nine.

ATTY. CUMMINGS: Item number nine is a motion to appropriate cell tower funds in the amount of $5,000 to St. Anthony's Park for the completion of the basketball court renovation.

MR. HALLINAN: I'll make that motion.

MR. DEMPSEY: 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: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number ten is public comment on nonagenda items.

MR. MCHALE: Would anybody like to address Council on any subject tonight? Please come forward, state your name for the record.

MS. CUFF: Sharon Cuff, 315 Spring Street. I just wanted to talk quickly about
the DEP public meeting that was in July. I didn't want to bring it up last month because with all the flooding and all of that. But there was some testimony offered that night. And I just wanted to make sure Council had copies from the American Lung Association. They submitted one and a scientist from CHEJ submitted one. So I wanted to give those to you guys. I apologize. I wanted to scan all of this and my scanner wasn't working. So if you guys can distribute it, scan it, whatever.

So just a few things like that I want to give you. Also the Public Health Assessment is targeted for December to be finalized. So after that there will be a public comment period. So I thought it might be helpful to give you guys some information from ATSDR just to give you time now to kind of familiarize yourself with how they do the study, what they're all about.

Because during that public comment period, I would hope that you as our Council will have questions, you know, you will voice concerns, opinions, anything. And you will
really take the time, be prepared before the study comes out, know what it's going to look like, get some questions ready.

We already have the issues as I'm sure you've seen with the MAU results that were done in April showing some really high levels in one of the locations that the DEP chose and did some testing at.

So those were brought up in the testimony by the American Lung Association and by Steven Lester of CHEJ and some other, you know, concerned residents. But that's just something -- it's very hard to follow. I mean, I've looked at these MAU reports. And they're time-weighted averages. They are hard.

So I just kind of wanted to ask Council now. It's September. It gives you three months just look into the studies, familiarize yourself and be ready for when they come out so we can make some really great informed questions.

The comment period will be at least 30 days. They have already said they may extend it longer for us if we need it. It's probably going to be around the holiday so that
alone, you know, ATSDR and Department of Health said it's a busy time.

So I think everyone's going to be, you know, working to get the best results for this study. The final report will come out after the public comment period. So again, I just ask that everybody really take time. Look at these reports, think about what's going on.

I am not here to say where any toxins are coming from. I am here to say that DEP chose these locations. They chose them because of their proximity. They know wind direction. They know what's upwind. They know what's downwind. They are not going to randomly test locations that they didn't feel the potential for contaminates would get to.

They're not going -- they don't have the money to just wasted their time at a location that couldn't possibly get any toxins coming off that landfill. Again, I'm not here to say all of them that were found came from there. I don't know where they came from. I have no idea.

I'm not a scientist. But we do know that there are really significant issues in the
air. And I think everybody needs to start figuring out why and where they're coming from which we may never know. But we need to be on board that there's a problem. We're fortunate. It's been looked at. Again, that was DEP. I'm happy that they did.

They got these trucks. They put them there four hours at different locations, different dates. You're going to get different readings. You're going to get a different reading every day based on wind. You're going to get different readings based the temperature, hot, cold. It changes everything in the air.

So, you know, again, it makes it difficult to follow. Just I'm asking that everybody really take a look at the documents I'm going to leave you, scan them, spread them out, you know, just kind of go over them. Thank you.

MR. MCHALE: Thank you.

MR. AMICO: Thank you.

MR. MCHALE: Anybody else like to address Council tonight? Please come forward and state your name for the record.
MS. TAYLOR: Lindsey Taylor, 1704 Tripp Street. I just wanted to briefly discuss we're still having some issues with the parking lot that's right next door to my house. The drainage ditch seems to have been covered over slightly.

Now their solution is any type of band aid. There are four sand bags there. When there's a heavy rain, sand bags do nothing. It flows around them which is still creating a lot of gravel going down on the street. I have actually seen two or three people that come down the street to park their cars from the hospice, fall on the ground or slip.

The gravel is right in front of my house which causes me the problem if they fall on my property, am I going to get sued? So I took some pictures of them. Unfortunately for some reason, CVS's machine doesn't want to cooperate with me today. But I could e-mail them to you or you could look at them here.

Also, I've noticed that the stench of sewage has returned to Tripp Street. The last three evenings, you could smell it through
the house.

MR. DEMPSEY: 1700 block you said?

MS. TAYLOR: Yes, directly across

the street from the old church that is now the
historical society. So we've been working on
this for about a year now. And it seems to be
like baby stepping. But nothing seems to be
really progressing.

MR. MCHALE: Mr. Judge, can you go
up and look at the gravel thing at least if you
could get a sweeper up there?

MR. JUDGE: What's that address, ma'am?

MS. TAYLOR: 1704 Tripp.

MR. MCHALE: Can you take care of
that? Thank you. And the smell, I'll have the
Sewer Authority go up tomorrow.

MS. TAYLOR: I know Mr. Jim McGraw,
he has addressed the situation quite a few
times already. But it seems to be coming back
again. I don't know, like, where it's coming
from.

MR. MCHALE: I'll have them go up
and if they have to vacuum or -- I'll have them
go up tomorrow.
MS. TAYLOR: Thank you.

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

MR. GIUMENTO: Angelo Giumento, 521 William. Actually, there's two separate things here that kind of go together. Back in August, my basement took about 4 inches of sewer water when I had to have a company come and professionally clean my basement and sanitize it.

I understand that the Borough had went looking for relief from the federal government for disaster relief.

MR. MCHALE: Yes.

MR. GIUMENTO: I'm wondering if I'm on that list and what progress you have had.

MR. MCHALE: Did you report it to the Borough Building?

MR. GIUMENTO: I did.

MR. MCHALE: Okay. Then, yes, you are on the list. And we're trying to gather all the information. It's an upward battle because the threshold with the federal government was -- Tom?

MR. DEMPSEY: Was it 25 million?
MR. MCHAILE: 25 million.

MR. GIUMENTO: Right.

MR. HALLINAN: That was PEMA. I'm sorry for interrupting. State, not federal.

MR. MCHAILE: That's PEMA, I'm sorry. But we're working with Senator Blake's office trying to get something to see if we can help out the taxpayers. It's not a promise but we're trying.

MR. GIUMENTO: With that being said, they're going to put a 5 foot base with one of these gigantic polls of in front of my next door neighbor's house which is about 5 feet from our property line. It's not just a poll that they are drilling and sticking in the ground.

This is going to be a 5 foot concrete base that originally it was going to take up two-thirds of my sidewalk. And then I called and John McGurl came up and had to explain that the poll -- the marker was in the wrong spot. They changed it to another spot.

But regardless of the fact, it's taking up the whole area between the curb and the sidewalk. Seventeen years ago when I built
my house, my house sits on a rock ledge. When they dug for the sewer line to go out to the street, they couldn't get down as far as they needed to go in the tower where the bell would be for the sewer line for my property because it was an empty lot.

So they had it -- they only ran to get down maybe 6 or 7 feet. Well, with that being said, maybe five, six, seven years ago whenever it was, we had an issue with carbon dioxide coming up from the minds. And DEP along with the Office of Surface Mining got together and had to put mitigation systems in my house, my neighbor's house and the neighbor on the other side.

John McGurl is telling me that the hole they are going to drill for this base is 25 feet deep. Now, vibrations from a rock ledge -- I don't know if it's there or isn't there. But if my house is sitting on it, this is only 30 feet away, not even 30 feet.

Vibrations from that is going to cause another outbreak of this carbon dioxide coming up. Is it going to do any damage to my foundation of my house because my house is
sitting on a rock ledge? There's a lot of variables here. I looked at it and I said, you know, the polls are 110 feet. If you stand in my back yard, you could look out of Grove Street and the towers go way past the top of the trees. It's really an eyesore. It truly is.

I just don't understand why they -- if the polls, the telephone polls lasted for 60 years, that would -- they have a ship that's in the harbor down in Baltimore that's 250 years old made out of wood. I don't see why they need to put a steel poll in that size. I'm wondering about an extraction system.

I'm wondering about disturbing the subsurface. My house sits on that rock ledge as I talked about and vibration. And then if they do hit rock, what's their plan?

MR. MCHALE: Sir, we had them here tonight. I don't know if you walked in.

MR. GIUMENTO: I did.

MR. MCHALE: We did have them here tonight and many of your questions that you're asking we're trying to get answers to as well. My first inkling of -- and I mentioned tonight
when I first spoke of these polls is driving
down Monroe Avenue and seeing this monstrosity.

They look ridiculous. They're rusty, old. They look old. And they're an absolute eyesore. They are claiming that they are going to be safer so on and so forth. And I don't want to reiterate everything they said. But any of your concerns -- we now have contact people.

We're going to name a committee of three of us because they can meet in a group of seven of us without doing it in public. Why they didn't want to do that is for your interpretation as well. But three of us will form a committee and we'll meet with them, bring every one of your concerns.

And as you said Mr. McGurl's claim is that he'll knock on your door any time of the day to answer any of your questions. We're going to hold all of them to the fire.

MR. GIUMENTO: Well, he did come up.

MR. MCHALE: Yeah, he seems like he's a good man.

MR. GIUMENTO: He did come up. He said initially they were going to put like 6 or
6 and a half foot base in rather than five. And that would have taken up almost the whole sidewalk from where they were going to put it. But on their letter they said they were replacing but never came and been specific and said, hey, we're not going to put wooden polls in now, we're going to put these steel polls in now that are 30 feet higher than what's there now.

MR. MCHALE: We agree.

MR. GIUMENTO: I just don't understand the height restrictions that they need to run lines out if they're not going to add additional lines in the future which I --

MR. MCHALE: They're claiming they're safer. They'll sustain more winds and damage God forbid anything happens. And they are above the tree lines, so on and so forth. It's just more -- it's better for the grid that it's going to. Now, again, sir, I'm just passing along --

MR. GIUMENTO: I would like it better if it was underground.

MR. MCHALE: I agree. I agree.

MR. GIUMENTO: You know, we're not
moving forward here. We're just adding onto
the old stuff that we have. That's what our
town is.

MR. MCHALE: We had a quick
personnel meeting. And as we were walking out,
I said the same thing. My wife yells at me all
the time about that. Why do we in this town --
she's not from this town. Why are all of these
wires all over the place? I agree. We just
have to find the money to do it.

MR. GIUMENTO: My son lives in
Baltimore. And when he comes back he just
laughs (inaudible) all right. Thank you, guys.

MR. MCHALE: Thank you.

MR. DEMPSEY: Thank you.

MS. BARKLEY: Good evening. My name
is Debra Barkley. I live at 1235 Clay Avenue.
And like you said before we don't want to
reiterate everything that was said earlier. I
just want to let you know that the street light
that was at the corner of Grove and Clay is
still not up or still not back yet.

I talked to John maybe two weeks ago
on the phone after getting his August 26th
letter. He told me that he would look into the
lights. But if nothing was done in a couple weeks to call the Borough and ask the Borough about the lights. Obviously I know that was brought up tonight. I just want to let you know where the corner is.

MR. MCHALE: And, ma'am, I don't mean to interrupt you --

MS. BARKLEY: Go ahead.

MR. MCHALE: That was a big concern of ours too. And Mr. Burke actually was the first one to bring it up. And I spoke to our contractor. He was going to identify every one that was up is going to go back up. Mr. McGurl said by the end of this week every one of them will be up. So if not, I'll give you my card and you call. And believe me, it will be up.

MS. BARKLEY: Okay. Thank you. We had cars towed on Clay Avenue so we're a little nervous about --

MR. MCHALE: Yeah.

MS. BARKLEY: -- the lights. Our neighbors have been leaving their lights on the porches. I guess the only thing is that John McGurl does seem like a very nice person. And I'm sure that he is. On the phone to me he had
said that he had talked to at least one resident in every house that is currently by the construction. He didn't talk to my house. And I know at least four or five neighbors have said no one came.

And we're not all receiving the same letters. Some people got the initial letter about having better lines for not having power outages. I never got that letter. I got the letter August 26th updating us that everything would be done by mid-September that we expect installation of the new polls and wires to be complete by mid-September.

I'm being told it's done by mid-September to the one that's in the island now if you keep going down Grove towards the Community Center that big island that's been a lot of discussion with the neighborhood watch. That will be done until there and then once the holiday is over they will restart in January to go from there to all the way the rest of the way down.

I don't know. That's what he's telling me. Again, a lot of stuff that was brought up it's a lot of concerns that the
neighbors have. I know one of our big concerns is the damage to the property, the sidewalks, how you can't really walk down that sidewalk on the one side of Grove anymore because of the big base that is there.

The neighbors are just concerned that we're not told about it ahead of time just to be able to understand and ask questions and offer feedback, if possible. I know that they have to do this. And it's an eyesore. But I feel like if our neighbors had been warned ahead of time that the roads will be closed and kind of work with us versus surprising --

MR. MCHALE: Yeah, we agree. We agree. I think you probably heard a little bit tonight. And we'll keep on top of it now that we know who we speak to. Promise you we'll be yelling as loud as you did.

MS. BARKLEY: All right. Thank you.

MR. MCHALE: Thank you.

MS. DURKIN: My name is Cheryl Durkin. I live at 1217 Clay Avenue right down the street from Debbie. And I really just want to go on record and reiterate that some of the things that she said. First of all, I feel
really sad that the PP & L would not hold some type of public meeting prior to doing all of the work that, you know, just seems like they were too afraid of the feedback. So that's a sad situation.

I own property on 408 West Grove Street. The new poll is smack dab in the middle of the porch on that house. So I know that when I'm trying to sell the house, the resale value of the house may be less than what I would have hoped it to have been.

The letters that I received interesting. I used to live at 1240 Clay Avenue with my husband Lawrence Durkin. He passed away three years ago. Somehow I received in my mailbox at 1217 Clay, three copies of those letters. Very interesting since I don't live at 1240 anymore. They were addressed to 1240. I got them at 1217.

Happy to have gotten them, but sad to find out what all of this has evolved into. I feel badly that you people were not informed. I think that the citizens of Dunmore should have been included in a discussion at least. When I followed the people outside, they said
that they're engineers, do the placement of the
polls and that's that. Nothing else can be
done. And the height of everything is based on
new regulations state and otherwise. So I just
really wanted to make a statement and have it
on the record.

MR. MCHALE: Thank you.

MR. HALLINAN: Thank you.

MR. AMICO: Thank you.

MR. DUNCAN: Anyway, with rehiring
of Mr. Ruggiero, do we have a start date then
or how does that work if I could ask?

ATTY. CUMMINGS: The motion was upon
his availability.

MR. DUNCAN: Thanks. There's a
neighborhood watch meeting a week tonight. So
it will be 9/19/16 at 7 p.m. I know we have a
lot of the folks here from the neighborhood
watch tonight. And I appreciate that. Just
keep in mind next week we will have the formal
meeting and we hope to see you all there.

Back to the situation with PP & L
and I really do appreciate the fact that you
guys took the time and answered the questions
tonight. So again, I probably sound like I'm
in a cloud of Alzheimers tonight when I ask the question. So is there a possibility that we'll have a public meeting where the public could come back and ask questions?

I know there will be a committee of three from Council. But we will as the general public -- because I got a lot of the questions from the citizens is there -- will there be a chance that we will be --

MR. MCHALE: Gary, I think you were here right at the beginning.

MR. DUNCAN: I was.

MR. MCHALE: It's kind of -- she -- the representatives were kind of upset that we wanted to do it in public. So I'm not blaming them. They kind of got put on the spot. And I understand it's a tough situation. We can continue to try, Gary.

It didn't seem like they were very receptive to listening to complaints. That was the thing that I got. But they said they didn't. And then they started answering Council's questions. So maybe it's the start of a good dialog.

We're going to put a committee
together. And I agree. We got to --
communication has to get better.

MR. DUNCAN: I know from phone calls
and concerns that I got on my end of things, I
know different letters went out. And I know
from other people, some people didn't get any
letters. So I don't know where the glitch is
in the system or how that situation gets
corrected.

Everybody doesn't have Mr. McGurl's
number. And I don't know if there is a way we
can get that out there publically if we can get
that onto the website -- the Borough site if I
could make that request formally so that the
general public has access to it because I'm
sure additional concerns obviously are going to
come up. So can we do that?

MR. MCHALE: Tommy, can we put Mr.
McGurl's number out on the website?

ATTY. CUMMINGS: Absolutely. Yeah,
he asked that we distribute to anybody that
asks.

MR. MCHALE: That's fine, Gary. I
don't want to give his number out without
making sure.
MR. DUNCAN: No, I don't either. I just asked if we can --

MR. MCHALE: He left extra cards too.

MR. DUNCAN: All right. Can I just --

MR. MCHALE: Absolutely. Take one.

MR. DUNCAN: And then thanks very much. And I hope to see everybody next week. Oh, and I do want to reiterate the smell from the sewage line up on Tripp. I'm at Tripp and Barton -- the intersection. What she said is factual. So I don't know what the situation is up there. And I appreciate you having the Sewer Authority get up and take a look at that.

MR. MCHALE: I'll have them there tomorrow.

MR. DUNCAN: So thanks a lot, and I'll see you all next Monday at the neighborhood watch meeting.

MR. HALLINAN: Thank you.

MR. MCHALE: Thanks, Mr. Duncan.

MR. HOLECKO: Good evening. My name is Eric Holecko. I'm the property owner at 932 and a half East Drinker Street. Tonight
I'd like to make a formal appeal to have -- to revoke a handicap parking spot in front of 940 East Drinker Street.

The reason for my appeal is based on the fact that Mr. Fortese has the property at 940 East Drinker Street. He already has two off street parking spots available to him and both would be wheelchair accommodating. This reserved on street handicap parking space only serves to take away a parking space from surrounding neighbors who already have limited options. At this time if I could show you some pictures?

MR. MCHALE: Mr. Cummings, are we allowed to do what -- what would be the next step?

ATTY. CUMMINGS: You could accept the information. You can't act on it.

MR. MCHALE: Who do we give it to Joe or to Mr. Marchese?

ATTY. CUMMINGS: Chief Marchese.

MR. HOLECKO: I've already spoken to Chief Marchese about this issue. He said that he did approve the handicap parking spot based on wheelchair reasons. And the case -- and
there was to be no further discussion. The discussion was closed. But I believe this would have to be my next step to appeal and to have some kind of check or balance on this.

ATTY. CUMMINGS: Council can direct Mr. Lorince's office to investigate if you wish.

MR. HOLECKO: There is at least 20 feet. I do have a copy --

MR. MCHALE: Thanks. Is this headed down towards Anna Maria's?

MR. HOLECKO: Yes. I'm sorry, I do only have six copies tonight.

MR. MCHALE: Here, Tim:

MR. HOLECKO: There is two parking spots there. They are both -- they are both -- he has adequate space to accommodate a wheelchair if need be off street. So I'm not really sure why there was a --

MR. MCHALE: Sir, understand, that I got to take -- Tom, I got to take your advice on what is our next step.

ATTY. CUMMINGS: The next step is to accept the information. And you could direct Mr. Lorince to meet with Chief Marchese and
investigate the situation versus what was
represented the permit applying for the
handicap parking spot.

MR. MCHALE: Joe, will you take care
of that first thing?

MR. LORINCE: Yes, I will.

MR. MCHALE: We'll get an answer
from Chief Marchese and provide it to you.

MR. HOLECKO: Okay, even though I
was in touch with Chief Marchese?

MR. MCHALE: I'm just --

MR. HOLECKO: I mean, it seems -- is
there not legislation I could -- Council could
pass?

ATTY. CUMMINGS: Not this evening.

MR. HOLECKO: Is there some way I
could get it on the agenda?

ATTY. CUMMINGS: The only thing that
they could do this evening is accept the
information you request, refer it to
Mr. Lorince to meet with Chief Marchese.

Mr. Judge might want to be involved
considering it's on a public street and then
have them report back to Council and Council
could report back to the citizen.
MR. MCHALE: Our next meeting is in two weeks. We can report as quick as that.

MR. HOLECKO: Okay, would I be able to get this on the agenda?

MR. MCHALE: We can put it on the agenda based on Chief Marchese's recommendation is what we'll do. He is -- he would be the one who gives them out. He's the one who approves them. We're a governing body that I assume will take his recommendation.

MR. HOLECKO: Okay. And again, I would like to point out there is at least 20 feet on the off street parking. I would eventually like a Council vote. Would that be --

MR. MCHALE: Assuming Chief Marchese's recommendation is such. But we'll discuss it as a Council. If they want to put it on against a recommendation, we'll do so.

MR. HOLECKO: Okay. So my contact from here or do I just have to show up at the next Council meeting?

MR. MCHALE: Mr. Lorince will be your contact for now. I could give you my card. And you could call me.
MR. HOLECKO: If I could have a card?

MR. MCHALE: Absolutely. My cell phone is on here as well. It's my business but my cell phone is on there. It's the easiest way to get me.

MR. HOLECKO: Okay. Can I have your contact information?

MR. MCHALE: Is that it, sir?

MR. HOLECKO: That's all. Thank you.

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

MR. ZECH: Edward Zech, 206 Andrew Street. I think we have to find out just what a public utility is in Pennsylvania after hearing all of the reports from PP & L. That should be our first step.

I'm here to see what can be done with the awful condition of north and south Blakely Streets. The person that's the contractor is not backfilling ditches, pave cuts. He's not patching any of the normal wear and tear on that road. It's awful to go on that road.
Come down from Dunmore Corners and it's like going down a ravine. There's no place that you could move that doesn't have a hole. I mean, I understand it's under construction. But they should be daily having somebody up and down that road just filling in when it's, you know, this low or when this much pave is missing.

MR. MCHALE: Joe, I agree with Mr. Zech. It's a nightmare up there. Could you reach out to PennDOT and let them know our concerns?

MR. LORINCE: Yeah. I did talk to August Baker about it. And I even talked to Tom Pichiarella. And they said they were going to send a crew out to start patching.

MR. MCHALE: Could you reiterate tomorrow morning how Council is in full agreement with Mr. Zech?

MR. LORINCE: I will call them first thing tomorrow morning.

MR. ZECH: I won't hold my hopes in PennDOT. There's plenty of roads that they haven't patched since the spring.

MR. MCHALE: Unfortunately it's
their project.

MR. ZECH: I mean, they should be --
something has to be done.

MR. MCHALE: I agree.

MR. ZECH: They are going to break
their plows in the wintertime if the roads
aren't fixed because the plows are going to
catch them. It's murder on the vehicles.
There's no place you can go to -- you can't go
around it because every time you try to go
around it, that road's closed.

MR. MCHALE: I agree.

MR. ZECH: Thank you.

MR. MCHALE: Thank you, sir.

Anybody else like to address Council tonight?

MR. GIUMENTO: Who owns the easement
from the curb to the property pegs in the
borough?

ATTY. CUMMINGS: It depends on the
property description in the deed. Some
descriptions go to the middle of the road with
so far from the center line. Some go to the
front property line initial 10 feet from porch,
portico, sidewalk, and other matters.

So in many instances, although you
would presume you own to the curb, you may. But you actually may own 10 feet back from the curb depending on the original subdivision grants.

MR. GIUMENTO: My question is, is that Borough property right there?

ATTY. CUMMINGS: It depends on the deed. It's a case-by-case basis.

MR. GIUMENTO: Is it PP & L property?

ATTY. CUMMINGS: PP & L have the PUC rights. You go into the public thoroughfare for the utility conveniences.

MR. GIUMENTO: The one gal mentioned about the island on Grove Street. That would be considered their right of way?

ATTY. CUMMINGS: No. They could go in the public right of way. A Borough street is a public right of way.

MR. GIUMENTO: Understand. But I'm talking about the island on Grove Street.

ATTY. CUMMINGS: I can't. I would have to look at the deed for that particular item to answer that.

MR. GIUMENTO: Did anybody look at
it here? They put a poll there.

MR. MCHALE: We didn't know the polls were going in. In all seriousness until I saw -- you think I was kidding, when I went down Monroe and saw that monstrosity, I couldn't believe it and that was probably --

MR. GIUMENTO: That was a nice little green space that they actually ruined.

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

(No response.)

MR. MCHALE: Seeing none.

ATTY. CUMMINGS: Public officials.

MR. MCHALE: Mr. Judge.

MR. JUDGE: No.

MR. MCHALE: Mr. Kearney.

MR. KEARNEY: No.

MR. MCHALE: Chief DeNaples, anything tonight?

CHIEF DENAPLES: Yeah, two things. Actually our smoke detector installment for 29th of September was cancelled. I just received a call from the American Red Cross. They have to reschedule it because Penn State Worthington needed to back out.
So as soon as we get that date, we'll let everybody know and we'll put it on the website so everybody is aware of it. We were given two donations, one by Sack's Taylor Shop for elevator door keys. That was about $180 roughly.

And Dunmore Rotary Club denoted us 200 feet of search rope that was about $350. I just wanted to put on the record and thank them both organizations for the donation. We need it and it helped out especially because the Borough didn't have to make the purchase and they were willing to donate it. They reached out to us to see if we needed anything.

MR. MCHALE: Thank you, Chief.

Mr. Lorince, do you have anything?

MR. LORINCE: No.

MR. MCHALE: Mr. Cummings.

ATTY. CUMMINGS: No, sir.

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

MR. DEMPSEY: Yeah, I have nothing tonight.

MR. MCHALE: Mr. Hallinan.
MR. HALLINAN: I would just like Mr. Lorince to send a letter to PennDOT. Obviously, we're not getting anywhere with Mr. Baker. We've already revisited this issue of them repatching that road. So I would like at least monthly updates from PennDOT about what's going on out there.

It seems like we have to -- you know, nobody knows. Nobody knows what's -- you know, it seems like they're there, they're not there. What's the holdup? I mean, this project has been going on and everybody is asking questions. And we're not getting any answers.

So I don't think it's beyond the stretch to ask PennDOT to have Mr. Baker or somebody from the head of construction to come in and give us, you know, maybe monthly updates about what the heck's going on out there, okay, and what we can expect in the future, okay? Would we please do that?

MR. LORINCE: I'll go up tomorrow and talk to Mr. Baker.

MR. HALLINAN: Okay. I'd rather it in a letter so it's on record.
MR. LORINCE: We'll set something up in a monthly meeting, once a month come in and we'll talk.

MR. HALLINAN: Yes. Thank you.

MR. LORINCE: You're welcome.

MR. HALLINAN: That's all I have.

MR. MCHALE: Mr. Amico.

MR. AMICO: I just want to say that tomorrow I'll get in touch with the website and put Mr. McGurl's information on. So as soon as I get it to the website, you know, it will probably take a day or two for them to upload it and then will be available.

And if you have any questions, obviously just contact us or contact Mr. McGurl and we'll move forward. Thank you.

MR. MCHALE: Mr. Verrastro.

MR. VERRASTRO: Yes, I just want to publicly thank the fire department. This past Saturday they dedicated the new firehouse to my farther. And they had a nice open house and I just wanted to say thank you.

MR. MCHALE: Thanks, Sal. Mr. Burke.

MR. BURKE: Wonderful ceremony. I
would like to thank Greg Wolff and Mike. They had a lot of nice words to say. It was very touching. And they did a great job. And I'm really proud of the fire department. And, of course, Sal's father who was so -- it was his baby. And it's a beautiful firehouse. And if it wasn't for Sal like Mike said it, this never would have happened. It was a great ceremony.

On another note, Joe I was wondering if you could talk to -- on Cherry Street they have been working there for quite a while. If you could ask them if they could park their equipment someplace else? There's going to be an accident there.

Me and my wife sit on the porch every night in the summer and there is at least ten or more incidents while we're sitting there where it's a close call. They are parked on the corner.

MR. LORINCE: Was it RLE?

MR. BURKE: Yeah, they're parked right on the corner so you have a -- somebody making a right-hand turn going up Cherry is blindsided. And it's just screeching breaks after screeching brakes. Sooner or later
somebody is going to get hit.

MR. LORINCE: I'll talk to them about it.

MR. BURKE: But maybe they could go across the street -- Mill Street, maybe there's a lot there.

MR. LORINCE: Yeah, there's a little spot over there on Mill Street. I'll ask them. I'll call Johnny Gentile tomorrow.

MR. BURKE: Okay. Thanks, Joe.

That's all I have. Thank you.

MR. MCHALE: Mrs. Scrimalli.

MS. SCRIMALLI: Thank you. I also want to say how beautiful the ceremony was for the dedication of the firehouse in honor of Sal's father, Salvatore Verrastro. It was absolutely beautiful.

And I want to thank everyone for coming letting us know your issues. We hope to work on these and continue to let us know what they are. Thank you again and have a good night.

MR. MCHALE: Thank you, Mrs. Scrimalli. I really don't have anything else other than what we spoke about tonight.
the concern over PP & L. I think we at least
opened the door to communications. And it
should have happened a long, long time ago in
my opinion.

But I appreciate everybody
listening. And again, any concerns that you
have, bring them to our attention. And believe
me, the yelling will continue. So I appreciate
everyone coming. And I'll look for a motion to
adjourn.

MR. BURKE: Motion.

MR. DEMPSEY: Second.

MR. MCHALE: I have a motion and a
second. All in favor.

ALL MEMBERS: Aye.

MR. MCHALE: We are adjourned.
CERTIFICATE

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

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