COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Monday, September 9, 2019

TIME:

7:00 P.M.

LOCATION:

DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

COUNCIL MEMBERS:

MICHAEL DEMPSEY, President

MICHAEL HAYES - absent

VINCE AMICO

MICHAEL MCHALE

CAROL SCRIMALLI

THOMAS HALLINAN

THOMAS EHNOT

THOMAS P. CUMMINGS, Esquire, Solicitor - absent

MICHELLE SMOLSKIS
OFFICIAL COURT REPORTER
(Pledge of Allegiance.)

MR. RUGGIERO: Mr. Amico.

MR. AMICO: Here.

MR. RUGGIERO: Mr. Hallinan.

MR. HALLINAN: Here.

MR. RUGGIERO: Mr. Dempsey.

MR. DEMPSEY: Here.

MR. RUGGIERO: Mr. McHale.

MR. MCHALE: Here.

MR. RUGGIERO: Mr. Ehnot.

MR. EHNOT: Here.

MR. RUGGIERO: Mrs. Scrimalli.

MS. SCRIMALLI: Here.

MR. RUGGIERO: Mayor Burke.

MR. BURKE: Here.

MR. RUGGIERO: Number three, public comment on agenda items.

MR. DEMPSEY: Would anyone in the public like to comment on agenda items only?

(No response.)

MR. DEMPSEY: I'm seeing none.

MR. RUGGIERO: Motion to approve the minutes.

MR. DEMPSEY: I'll look for a motion
to approve the minutes.

MR. EHNOT: I'll make a motion to approve the minutes.

MR. DEMPSEY: Do I have a second?

MR. HALLINAN: I'll second it.

MR. DEMPSEY: I have a motion and a second. Anyone on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. DEMPSEY: Any opposed?

(No response.)

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

MR. RUGGIERO: Number five, motion to approve and pay the open bills.

MR. DEMPSEY: Do I have a motion?

MR. HALLINAN: I'll make a motion.

MR. DEMPSEY: Second?

MR. AMICO: I'll second.

MR. DEMPSEY: Motion and a second.

Anyone on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. DEMPESEY: Opposed?

(No response.)

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

MR. RUGGIERO: Number six, motion to accept the repository bid of $1,522.05 for the property identified as Map No. 15803010019. That's Tiffany Drive Rear which is a wooded lot behind the existing homeowner equivalent to .17 acres.

MS. SCRIMALLI: I'll make that motion.

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

MR. HALLINAN: I'll second it.

MR. DEMPESEY: Motion and a second. Anyone on the question? Vito, do you want to just give a quick background?

MR. RUGGIERO: On the question. This was approved already through Lackawanna County repository sale. They accepted the bid to get it back on the tax rolls and it went up for tax sale. I believe someone owned it,
didn't pay taxes on it, it went up for tax sale.

As stated, it's .17 acres. It abuts the back yard of this homeowner. They just want to increase their backyard and put it on their deed.

MR. EHNOT: Vito, is that roughly a fair market value, too, for that land?

MR. RUGGIERO: Yes.

MR. EHNOT: Okay.

MR. DEMPSEY: All right. I have a motion and a second. Anyone else on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. DEMPSEY: Opposed?

(No response.)

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

MR. RUGGIERO: Number seven, a motion to accept the tax assessment appeal for Fidelity Deposit and Discount Bank, Map No. 146340300034.
MR. DEMPSEY: I'll look for a motion.

MS. SCRIMALLI: I'll make that motion.

MR. DEMPSEY: Second?

MR. MCHALE: I'll second.

MR. DEMPSEY: I have a motion and a second. Anyone on the question? Quickly on the question, the Fidelity Bank had filed a tax assessment appeal for their property up at The Corners. They're appraisal came back approximately at 1.5 million.

We had an appraisal ourselves, the Dunmore Borough, the school district and the County had an appraisal done at 1.9 million. All parties agreed that the value of the property would be assessed at 1.75 million. The school district and the County already approved it, so we'll be the last to approve that.

Anyone else on the question?

(No response.)

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

ALL MEMBERS: Aye.
MR. DEMPSEY: Opposed?

(No response.)

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

MR. RUGGIERO: Number eight, motion to accept the COSTAR price of $163,194.00 for a 2020 10-ton freight liner with a plow, VIN 1FVDG5FE9LHLD8774.

The freight liner cost is $102,894.00 and 11-foot power angle plow is $60,300. This is to replace the 10-ton vehicle that we've been utilizing for winters and for blacktop that's 15 years old.

MR. DEMPSEY: Thank you. I'll look for a motion.

MR. HALLINAN: I'll make a motion.

MS. SCRIMALLI: I'll second that.

MR. DEMPSEY: I have a motion and a second. Anyone on the question? Vito, this is going to come fully equipped, plow, spreader?

MR. RUGGIERO: If we order it, it will be ready for November fully equipped for the winter.

MR. DEMPSEY: Okay. And I don't know if you said it, but the truck that this is
replacing, we are keeping that truck. We're going to utilize it hopefully for blacktopping, potholes. We currently use, what, a one-ton or --

MR. RUGGIERO: A one-ton. This will give us the opportunity to pick up ten tons of hot blacktop material.

MR. DEMPSEY: Thank you. Anyone else on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. DEMPSEY: Opposed?

(No response.)

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

MR. RUGGIERO: Number nine, motion to ratify the Department of Public Works Collective Bargaining Agreement effective January 1st of 2019 through December 31st of 2021.

MR. DEMPSEY: Okay. I'll look for a motion.

MS. SCRIMALLI: I'll make that
motion.

MR. DEMPSEY: Second?

MR. HALLINAN: Second.

MR. DEMPSEY: I have a motion and a second. Anyone on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. DEMPSEY: Opposed?

(No response.)

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

MR. RUGGIERO: Number ten, public comment on non-agenda items. Gary Dunkin, Dunmore neighborhood watch.

MR. DUNKIN: I'll be as fast as I can. I got the responses from the neighborhood watch from last month from Joe Lorraine today. Just a couple corrections. One that he -- and you folks, I know, all have a copy. I hope you all do. If you don't, let me know and I'll get one back to you. But Joe had a question about a property that needed some additional cleanup, and we failed to list the property. It was 122
Sand Street. That's an ongoing thing. It's been on for probably since April.

The question was that there was some concern about who the neighbor was -- or, who the owner of that property was. For the folks that live up there that have the complaints, that it's been the same owner for the last year. So, that's 122 Sand Street up in the Bunker Hill section.

And then there was, at our last meeting, neighbors inquired about a quiet time ordinance in the Borough. I was told that at this time there's no such ordinance, but the response I got was that it's a council question. That was the response I got.

So, I don't know if that's something that our Council could discuss, if we could look at it, or if somebody actually knows from Council if there's a specific quiet time that I didn't get a response to.

MR. DEMPSEY: I think we have -- Joe's not here, but I thought we had one.

MR. DUNKIN: I thought we did. Joe said that it's a council -- quite literally, the response was, It's a council question.
That's why I thought I'd bring it up tonight, because we have our meeting next Monday and I could always just let our folks know. We could maybe look at for October, but --

MR. DEMPSEY: Yeah. I'll check on it.

MR. DUNKIN: Okay. Thanks. You have my phone number?

MR. DEMPSEY: Yeah.

MR. DUNKIN: Can you text me or let me know where we stand just so I can get a response out?

MR. DEMPSEY: Sure.

MR. DUNKIN: Thank you very much for that. Just a few other things. Obviously, next Monday, which will be the 16th, we're going to have our September meeting. I have to give credit to both banks, both Fidelity and to First National, they're running it on the communication boards for me so people will be able to see them at The Corners. With the First National, you could see their message board coming down Drinker Street, so, I mean, that's really a wonderful asset in terms of us getting our message out.
I talked to Chief DeNaples briefly for our October meeting. We always have fire safety month for the Borough for October, and so, Chief, if you could just put it on your agenda for next month, if we could get a couple of the guys? And we always appreciate what Dunmore Fire Department does for the Borough. So, thanks in advance for that, if you can just put that on your calendar of events.

Not with the neighborhood watch, but if I could just say one more thing, because I'm also with the historical society, on September the 27th, Mrs. Bochicchio, Kim Bochicchio, from Dunmore High School, she's taking a bunch of 8th graders over to the cemetery, you know, for the historical tour of the cemetery, but immediately after that she's going to bring the kids over, it's a Friday, it's the 27th, she's going to bring the kids over to the historical society, and Phil Sardo, who's our immediate past president, is going to -- it's kind of like a show and tell for the kids.

If you haven't been inside the Dunmore Historical Society, we're on Tripp and Barton Street and we're there on Saturdays.
Phil Sardo and I are there Wednesdays from, like, 9 until 12. If you haven't been there, honest to God, get there. We have so much -- it's really -- I'm a guy that I love history, and we just have so much incredible history. And I hate to brag, but I think we're one of the gems of Dunmore and I wish more people would show up.

If you know any volunteers, I could tell you, Phil and I, it took us two weeks just to do some archiving on a donation that was made to us. We really could use people, volunteers, whatever, that could show up and that help us and they could do some archiving. You know, we have to use gloves and tweezers to separate some of the documents that we get.

I have to thank Mayor Burke. A person gave Mayor Burke a donation and that's what Phil and I were working on. We finally got it completed but with, like, eight hours of work to get it separated and filed from somebody who found information in a basement.

We have historical papers that were found by a contractor under linoleum, September the 1st, 1939, it was when Hitler hit Poland
with the blitzkrieg. So, we have some really
information -- I think it's really educational
whether you're a kid or an adult. And just
keep that in mind if you know of anybody who's
retired and can help out. We'd certainly
appreciate it.

And I know everybody knows this,
Wednesday's the 18th anniversary for 911, and
we have, from Ruddy Real Estate, the
co-owner was a fireman in 911. I have 43 years
of healthcare, I've had patients who were
firemen who knew they were dying. They had
brain bleeds, they were inoperable.

And so I think for all of us, it's
personal, and for those of us who've treated
victims of it who've died since, it's also
personal. So, you know, if you're moved to
prayer, maybe say a prayer with us Wednesday
and keep those folks in mind.

I probably took enough of your time
today. Thanks, Council.

ALL MEMBERS: Thank you, Gary.

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

MR. MCGRAW: I brought up at the
neighborhood watch about stop signs -- or, not stop signs, the no parking on the corner of Tripp and Delaware. Now, Eddie Casey just had new sidewalks put in, a truck came down last week and on the handicap entrance to it, cracked it, because, you know, they couldn't make the turn because the people parked on Tripp Street close to Delaware Street.

They should be parked 20 feet away from Delaware Street. And then on Delaware Street on the corner should be 20 feet on both sides. Now, today they put the no parking on Delaware Street, a sign up, which is terrific service, and then they moved the stop sign off the pole which was located about 15 feet up the left side of Tripp Street, and I suggested that they put the stop sign right on the corner right next to Casey's sidewalk. Now nobody can come down and go up over the sidewalk. They'll have to take the stop sign down.

So, that alleviated that problem there. But now on the opposite side coming down, they're parked right out to the street, and, you know, if the garbage truck or anybody wants to make a big loop, they don't have the
room. They're parking right out almost adjacent to the sidewalk.

So, if we can get no parking going up Tripp on the right, and then we had it last year, a no parking on the right side of the entrance to Tripp, no parking for the 20 feet.

And then the next suggestion was we had complaints on Exchange Court, the alleyway going up to the bank from Delaware Street. They need, out on Delaware Street, the same thing, no parking on both sides, because almost every day there's very close to an accident.

And at the meeting, they said, We're going to look into it. I talked to Mayor Burke, and the DPW did a terrific job getting the stop sign in and everything, and if -- I don't know if they could put signs in, because once you put the no parking sign in, you don't have to worry about the pavement, when no parking, wearing out. You know, that's a permanent one, because we've had problems over the years with the markings wearing out and you can't put them in in the wintertime. You can't see them in the winter.

So, it's more logical to, if it's
possible, to put up the signs from here to corner. And the State's, it's 20 feet. You know, I imagine maybe the Borough we should follow what the State is.

And then now the bank is doing a lot of work up there where they're creating a lot of parking for their own people, so that should be alleviated. You know, we won't have it.

And there's a couple of homes now that have more tenants, more cars, so I think, for just safety sake, it should be done. And the best would be the sign, if it's possible, because you can't drill in the -- put a sign up if you hit rock or something. Then you have to pave them every year.

But DPW does a terrific job and they just have to wait for them to come in and whatever the problem is, because, you know, people will ask me, Why is the speed limit up there 10 miles an hour? It's up there 10 because you're going 20 and 30. You know, if it was 25, you'd be going 50.

And what it is is everybody is in a hurry, and all the kids on bicycles and walking up to Rita's, you couldn't believe the daytime
traffic with the kids, and many of them are,
I'd say, less than 12 years old, and they're
going up, maybe the oldest of the group is the
supervisor of the flock, and I sit there now
with the handicap, I see an awful lot of near
accidents just about every day, and I think
this will help stop some of them or eliminate
them.

And then, you know, you can't do it
overnight, and when the signs come in, we get
them up, and until we get them up, we should
paint it because, who knows, it may be snowing
next week, or, you know, it'll be raining all
week, they won't be able to paint and you'll
lose them. But so far, you know, the
cooperation has been fine, but we need a little
more. And thank you very much.

ALL MEMBERS: Thank you.

MS. LONGO: Hi. Annie Longo. 312
Williams Street in Dunmore. I have a few
comments I'd like to make. And, actually, I
want my comments to be noted and on record.
I'm having problems up on Williams
Street, as usual, as Mr. McGraw has just
explained. We have the same problem up on
Williams Street. It's absolutely -- I don't know how to even say it anymore.

I'm having extensive work done on my home. I'm having, because trucks in the court on Farber Court, have hit my wall so bad that I can't stand looking at it anymore, so I'm having it repaired.

The people coming to repair this are not even safe out there working. In fact, they said to me, Is it always like this? Like, we live on a speedway up there.

And another thing I wanted to point out was, are golf carts allowed on the streets? I've seen, like, kids 12 years old zip-a-dee-doo-dahing up and down the street, up and down the court. Is this permissible, golf carts, for these kids that don't even have a driver's license that are -- that street's a dangerous street to begin with. So, I don't understand why kids are going up and down in golf carts, but I see it every day. Every day. So, I'm wondering if that's permissible.

MR. DEMPSEY: It's not.

MS. LONGO: Is it a legal thing?

MR. DEMPSEY: No.
MS. LONGO: Should they have it?

MR. DEMPSEY: No.

MS. LONGO: And I know that Mayor Burke was concerned about quads going up and down. That still goes on. It's like a speedway there. So, I don't know what's going to be done. I've complained about it many times, but I just don't know what's going to be done about it.

The other thing I want to comment on is the way that people have no respect for anyone else and it's just, it's becoming -- people have a sense of entitlement. I like to keep my property nice, I like it clean, I like everything just so, I don't want my neighbor's trees growing on my property.

I just spent a lot of money to put a privacy fence up, Stephanie and I did, and I had this problem addressed in July, and it was never followed through. I was told that the people were contacted to cut down the trees and, you know, to take care of their properties.

There's so much going on up there with the property in the back and that house in
the back that should be really condemned, but,
you know, there's so much going on up there,
it's terrible.

But the thing I want to know is now
I'm putting that wall up and I would -- first
of all, I want to know about the trees and when
these people are going to be contacted to get
that tree away from my property? And I don't
want to be told, Well, you could go and cut
that yourself. I'm 71 years old, I am not
going on a ladder to cut those branches for
somebody else that don't take care of their
properties. I want something done.

If the Borough has to come up and
cut them down, then charge that homeowner.
They have no business. That tree, I've
complained to the people five years now to cut
that tree down. It's growing between the fence
and, like I said, it's ruining my privacy
fence, and I'm getting really fed up. So,
between that and the other problems going on up
there, I just want to know what can be done.

Oh, and the other thing is, I have
to put something, once I have this wall
completely repaired, and I don't know what to
put there, but something has to be put there so these trucks and everything else coming up there isn't going to damage that wall again. So, I would like some feedback on that. Okay. Thank you.

    MR. DEMPSEY: Thank you.

    MR. HALLINAN: Thank you, Annie.

    MS. SCRIMALLI: Thank you.

    MR. DEMPSEY: Would anybody else like to address Council tonight? Mrs. Cuff.

    MS. CUFF: Hi. I just had a question about the upcoming meeting on the 19th, the public hearing on the ordinance. What is the format and will you be voting that night?

    MR. DEMPSEY: It's scheduled --

    what's today? Today's Monday. Tuesday there'll be an announcement in the newspaper. We have it scheduled to vote on the 19th and on the 23rd just in case the 19th runs -- we don't know how late it's going to go.

    We're anticipating that we're going to go probably, I think it was 6 to 8, if I'm not mistaken. We're going to have a sign-in sheet, everyone's going to have to sign in,
name and address. You're going to have to be
either a Dunmore resident, own Dunmore
property, have a Dunmore business, to speak.
Everyone will be allotted five minutes.
I'm trying to think if there's
 anything else. We're going to obviously try to
keep it on topic, specific to the ordinance
change. I know this is a --
MS. CUFF: Volatile issue.
MR. DEMPSEY: -- volatile topic, I
guess, so you will be asked, if you go off on
tangents, you'll be asked to reel it back in,
but hopefully it goes smooth. But that's sort
of our format. Two hours max. If we get done
in an hour, an hour and 15 minutes, we may vote
then, we may have questions. I don't know
what's going to happen, so I -- we have it to
vote on the 19th or the 23rd --
MS. CUFF: Okay.
MR. DEMPSEY: -- depending on what
occurs.
MS. CUFF: Okay. That's fair. Can
I ask, why is it limited to only Dunmore
residents? I mean, I realize it's a Dunmore
ordinance --
MR. DEMPSEY: Right.

MS. CUFF: -- but given that the height and the issue --

MR. DEMPSEY: It's a Dunmore zoning issue, Dunmore residents. It doesn't have to be a Dunmore resident. You could own property, you could own businesses here.

MS. CUFF: Okay. But at the Scranton meetings, don't people outside of Scranton --

MR. DEMPSEY: No.

MS. CUFF: No? Okay.

MR. HALLINAN: No.

MR. DEMPSEY: No.

MS. CUFF: Okay.

MR. DEMPSEY: So, that's what we're going to do.

MS. CUFF: Okay. Thank you.

MR. DEMPSEY: I am assured that our Dunmore residents will not have any issues that are left on the table that somebody from Scranton will say.

MS. CUFF: True.

MR. DEMPSEY: I'm confident in that.

MS. CUFF: All right. That's good.
And, also, I saw you guys have a nice post on
the website with the meeting and stuff, could
you also promote it on the Borough Facebook
page, as well?

MR. DEMPSEY: Sure.

MS. CUFF: Just to get it going.

And the website, when I was on there looking
through the agenda, I know that's low on the
totem pole, but if we could get agendas posted
on the website and the minutes from the
meetings. I know we've kind of asked that in
the past, particularly because, again, this is
quite an issue, the planning minutes from that
meeting, is that something that can also be
posted on the website?

MR. DEMPSEY: Yeah. I don't see why
not.

MS. CUFF: Okay. That would be
good. But if we could just try to regularly
get things put up, I would appreciate it.

MR. DEMPSEY: Sure.

MS. CUFF: And that's it. Thank you
very much.

ALL MEMBERS: Thank you.

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

(No response.)

MR. DEMPSEY: I'm seeing none.

MR. RUGGIERO: Public officials.

MR. DEMPSEY: I'm going to lead us off tonight just because it's an important topic, that we had a great meeting today with Lance Robbins. Council and Mayor Burke and Vito attended.

What bothered me about this whole issue of him pulling out of the project was, you know, Scranton --

MR. MCHALE: Explain who he is. You just said his name.

MR. DEMPSEY: Oh. Lance Robbins, he's the gentleman that's trying to -- and I apologize if nobody knew who it was. Thanks for catching that. He's trying to revitalize the Scranton School for the Deaf -- the Marywood project. The old Scranton school for the Deaf.

It's a 14-million-dollar project.

It's going to be amazing. You know, we've seen the plans. I think everybody's seen the plans. It's been in the news. And there's a small
group of people that are against it based on a
restaurant that has six bar stools.

But, be that as it may, the Scranton
Times wrote an article that the Dunmore and
Scranton public officials failed us, and that
bothered me because we were behind that project
100 percent. Mr. Robbins told us today, the
only reason he's still in this is because we
have been pushing him. So, that editorial
bothered me.

And we had a great meeting today.
He's still in. We're trying to figure out a
way to make this project work. There are a lot
of ideas floating around today, but he flew up
here from California to meet with us. He's
thrilled that he has our support.

And I'm not speaking -- I think I'm
speaking for everybody, I don't know, and if
I'm not, everybody please correct me if I'm
wrong, but we want this project to go through.
The place is going to turn, as the years go on,
that place is going to turn into a nightmare,
and 90 percent of that is in Dunmore. And
those people are going to be calling on us to
get the rats out, to get the asbestos out, to
get everything out.

This project is a 14-million-dollar project that's going to bring in 70-some apartments, a wedding space. It's an upscale-type restaurant with, you know, six bar stools. I picture something similar to Sibio's or Ragnacci's. He's not looking to put in a 2 a.m. college club in there because that torpedos his vision for the place. It's an art vision.

So, the fact that people are against it is mind boggling to me, but I just wanted to clarify that there was no failure on the part up here. The failure was somewhere else. I'm not going to name any names, everybody knows who's against it, but I just wanted us to come out and say we fully support it. I hope he's here, I hope he stays, but for right now he did tentatively pull out, but he's back in cautiously.

So, any support that you can lend him, shoot him an e-mail, tell him that you support the project. If you do. And if you don't, that's fine, too. Everybody has their own problems. But that being said, that's all
I have for tonight, and I will kick it off.

Vince, do you want to start us off?

MR. AMICO: Yeah. I'll just chime in on what Michael said. I didn't miss any of Scranton's zoning or planning meetings regarding this issue and I sat -- if you're familiar with council chambers in Scranton, they have the main chambers and then the balcony up top, and I sat in the balcony just to keep out of sight because that's what I do, and I heard a lot of the complaints, and really not many of them, in my mind -- they're issues for some people, but I didn't think they were major issues.

And, again, I live a block away from the place, and I know my neighbors are pretty on board with it. When Marywood bought the project 15 years ago, I was a little taken aback, because in my mind I thought it would become dorms or just another college space, and I was just taken aback by it, and then it sat idle for the last 15 years.

And, again, I toured the building in November with Mr. Robbins' group, and the building's beautiful, magnificent structures,
but on the inside they're going to the pot. And the longer any building sits idle, the faster it's going to deteriorate. The plaster's falling, the insides are going down.

And we always hear the argument, you know, why isn't this guy -- why doesn't this developer from Scranton take care of it, or this guy? The place has been for sale for 15 years and nobody here has come up for air and said, We're willing to buy it. So, I'm on board with at least letting this gentleman have a shot and go for it. It's more tax revenue. It's another place back on the tax roll.

And, again, as Michael said, it's just a place that's going downhill, and the longer it sits, the faster it's going to go to pot. So, that's all I have. Thank you.

MR. DEMPSEY: Thanks, Vince.

Mr. Hallinan.

MR. HALLINAN: I'm just going to piggyback on you guys. Again, I've already spoke for, I'm sure, all of us here. As Mr. Robbins said, if this fails, Marywood eventually just lets -- it goes onto the tax rolls or somebody's -- it's going to go into
disarray, and it's going to fall on the
taxpayers of Scranton and Dunmore to fix it up,
because they're going to abandon the property
eventually. They tried to sell it back to the
state, the state doesn't want it. Nobody wants
it. They can't do anything with it.

So, this guy's going to develop, and
I don't see where the major problems are, but
it was a very fruitful meeting today. And,
again, like Michael said, he's very cautious
but optimistic, and I hope it goes through.
That's all I have, Mr. Dempsey. Thank you.

MR. DEMPSEY: Mr. McHale.

MR. MCHALE: I have nothing further
than that. Thank you.

MR. DEMPSEY: Okay. Mr. Ehnot.

MR. EHNOT: I just want to thank
everybody for coming. Drive home safely. And
God bless.

MR. DEMPSEY: Thank you.

Mrs. Scrimalli.

MS. SCRIMALLI: I just want to say
that I also fully support Lance Robbins and his
project. I'd much rather see him develop it
into a beautiful, you know, shining jewel of
the town rather than to see it go into, you
know, buildings that need to be raised and then
the property has to be excavated. So, I'd much
rather see it developed into something
beautiful.

I also want to congratulate our
chairman for being the best attorney in the
United States. So, let's give him a round of
applause.

MR. DEMPSEY: Thank you, Carol.

MS. SCRIMALLI: And I do want to
thank you all for coming. And that's all I
have for tonight.

MR. DEMPSEY: Thank you, Carol.

MS. SCRIMALLI: You're welcome.

MR. DEMPSEY: Mayor Burke.

MR. BURKE: Yes. Is it Carol that
spoke up from Williams Street?

MS. SCRIMALLI: Annie.

MR. DEMPSEY: Annie.

MS. LONGO: Annie.

MR. BURKE: I'm sorry. I can't hear
too good from back here.

MS. LONGO: That's okay.

MR. BURKE: But, anyway, Annie, I
got a letter -- I keep addressing the ATVs and the same situation I guess you're having with golf carts. Last meeting I addressed it again and asked Tommy Cummings to send myself, Council and Vito in writing or an e-mail what we could and we cannot do, and he sent me back he will not do that unless directed by Council to do that. So, that's where I'm at with that. As far as the tree, legally, and I'm not a lawyer, but if the tree is on your property, if somebody's tree is growing all around my property, I could cut on the property line.

MS. LONGO: Right.

MR. BURKE: But I would have to pay for it myself.

MS. LONGO: Right.

MR. BURKE: The same as if that tree fell on my house, that's my responsibility.

MS. LONGO: Right. Exactly.

MR. BURKE: So is that. So, the Borough, I'm just telling you what I was told by our lawyers here from the past from being on Council, that the Borough will not cut a tree on somebody else's property if it's hanging on
your property.

MS. LONGO: It's not that it's hanging on my property. It's destroying my new fence from where -- Vito was up there, he saw the position where the tree was.

MR. BURKE: Right.

MS. LONGO: And how it's affecting everything. And I explained everything to him. So, I think that something really needs to be done. I think that that homeowner -- plus, that homeowner has windows that are blown out up there. There's squirrels running in there, there's animals running in there. It's terrible.

MR. BURKE: Right. That's a different issue. I was just saying what I knew tree-wise, property-wise, if it's hanging on your property, you could legally get that. As far as that, Joe Lorrince, I guess, was up there, and I haven't talked to Joe Lorrince about it, but I'm sure he'll get on it.

MS. LONGO: I hope so.

MR. BURKE: Also, we had a meeting with American Water Thursday, there's a meeting every last Thursday at the end of the month,
and I brought up I don't think American Water's doing what they're supposed to be doing.

For instance, the streets, they don't leave risers when they pave the streets. Vito sat at these meetings and heard me bring them up that they haven't done it. They said they'll do it, they still don't do it. Okay? There's property that's getting replaced or damaged. They're not getting back and talking to all the people.

If anybody has any problems, I mean, they still haven't fixed my problem in front of my house, and that was paved in May. I report it every month. Vito, you know I bring this up every single month with them.

The last meeting, Thursday the 31st, I brought it up. Tommy was there, too. We had an issue last August on Meade Street where we had sewage going down Meade Street and it ended up coming out of the taxpayers' money to pay for that. So, I told Vito that he's got to get Tommy to act on this, our solicitor, because we sold the sewer authority and the combined system, and I don't want to be paying for it twice coming out of my tax money. I'm sure
nobody else in here wants to be paying for that.

So, the next day -- Vito called Tommy and told him, the next day he was in the office and he told me he heard I had an issue with Meade Street, and I said, Yes, it should have been taken care of last year when the situation happened, because it will happen again because the ground shifts, all the water, extra water, we're getting from the bigger storms, and it'll break again, and I don't want to be paying for it out of my own taxpayer money again, because we sold the place.

Tommy said that he would send a letter, in front of Vito, you were right there, Vito, to PUC and to the developers, Chris Viker (phonetic), American Water and TEP. So, I didn't hear from Tommy, so I called Vito up the next day, I said, Vito, can you send him a letter or an e-mail to remind him? We need an answer on that.

Vito sent him the 3rd at 9:30, it's in my e-mail because he sent it to me, and still haven't heard anything from Tommy. But it's something that's got to be taken care of
very soon because it's going to happen again.

And we spent -- I mean, Tommy made a
good buck on this, on the sale. If you
remember, it was a quarter of a million
dollars. And this is something that should
have been settled because this is going to
happen again, and I don't want sewage running
down any street in Dunmore.

And, as far as he needs Council's
approval for what I've asked for, I don't
believe in that. If I could find a lawyer that
could answer my question why, because I'm
supposed to get the same information as
Council as being there, why he can't send me an
e-mail and Council an e-mail on why he will not
give us the information I asked for at the last
council meeting, I simply don't understand. If
I could find another lawyer to answer my
question, because I'm not going to get it off
of Tommy, I'll pay him out of my pocket.

Maybe, Bob, if you could give me a
break, because you're a lawyer. It's just
something that should be answered why he can't
answer my question.

And, you know, it's really
frustrating when you ask your solicitor for answers on something that we should all know and then he says he will only answer if directed by Council. As Mayor, I'm a tying vote, that's why I'm supposed to be allowed the same information as Council, and he's avoiding his job by not answering my questions.

And this is a very important question because, like I said, the sewage happened a year ago in August, a year in August, and nobody wants sewage running down the streets. And then us, Joe taxpayer, it's going to come back for us to pay again. It's not right.

Like I said, he made good money on this sale as representing Dunmore, a quarter of a million dollars, okay, and he didn't even have to show us receipts. It's still dumbfounding me. I can't understand that. But maybe Council could ask him for the information, send an e-mail if you want to, but I think we deserve it.

MR. DEMPSEY: My understanding of that e-mail was in regards to ATVs.

MR. BURKE: Right. The ATVs, but
I'm just going back --

MR. DEMPSEY: When he said that he wouldn't answer any questions that you had or -- well, I don't have the exact e-mail on me now so I don't want to put words. My understanding was that e-mail was directed towards ATVs and not directed at anything water, sewer authority --

MR. BURKE: Right. No, you're right. That's --

MR. DEMPSEY: Okay. So, I just wanted to clarify that.

MR. BURKE: Right.

MR. DEMPSEY: That was with regard to ATVs.

MR. BURKE: Right.

MR. DEMPSEY: And making an ordinance at a gas station. That had nothing to do with --

MR. BURKE: Nothing to do with the sewer situation. Exactly.

MR. DEMPSEY: Okay. So, he didn't refuse to write any letter or answer your question with regard to the sewer authority; is that right?
MR. BURKE: No. He didn't refuse to do anything.

MR. DEMPSEY: Okay.

MR. BURKE: He said he would do it.

MR. DEMPSEY: Okay.

MR. BURKE: So, I've been waiting, I'm going to say I've been waiting since last year on the ATV incident.

MR. DEMPSEY: Okay. I just wanted to clear that up.

MR. BURKE: No. Right.

MR. DEMPSEY: Because I didn't want a misunderstanding.

MR. BURKE: Right. Yeah. The ATVs I can't get any answers on.

MR. DEMPSEY: Okay.

MR. BURKE: The sewer, I mean, this happened, like I said, a year in August. If I've got to wait as long as -- well, maybe I'll have to wait as long for that as I am for the ATV, which I shouldn't have to wait. I have the same rights as Council on getting the answers, and I'm hoping somehow I can get an answer without having to pay some other lawyer to find out about my rights on this.
And the taxpayers, I know you don't want sewage running down your street and then you have to pay for it again out of your own pocket, or pay out of your tax money for something that should have been settled when the Scranton sewer authority was sold.

It's not a pleasant sight. People driving down there, people jogging down there, walking their dog down there, it's a health hazard that I told our solicitor I will not -- I mean, my first step when this happens again, which it will happen, is I'm going to the news and I'm going to the news station and the newspaper because I'm not going to have it. I'm sick of it. What I want answers from it, I want answers from Tommy, and I hope Council asks for the same answers that I'm asking for.

And on a happier note, I'm asking Council if they'll have Vito write a proclamation for Coach Henzes and see if we could have the Coach here at some time in the future to present a proclamation for his accomplishments with our students and his coaching.

MR. DEMPSEY: And, again, that's
fine, it's just last night wasn't the time or
the place for that. That was a four-hour
dedication to him. And Vito, on Friday at
5:00, can't get all that -- there's a lot of
information that Coach Henzes -- a lot of
accomplishments that he has, we don't want to
miss any of them. So, to put something
together that fast was not possible on a
Friday.

MR. BURKE: No, I totally understand
that.

MR. DEMPSEY: For Vito. Okay?

MR. BURKE: That's why I'm asking
tonight and I --

MR. DEMPSEY: Absolutely.

MR. BURKE: Right.

MR. DEMPSEY: Absolutely. We'd love
to honor Coach Henzes.

MR. BURKE: I'm just asking for
Council's approval to do that, that's all.

MR. DEMPSEY: Yes.

MR. BURKE: I don't know if we have
to go by a vote, a motion.

MR. DEMPSEY: I don't believe we
need one.
MR. BURKE: Okay. So, I just wanted on record on that. Okay. At the meeting today with Lance Robbins, I thought it was productive. I'm glad I walked in on the meeting because I didn't know about it, but my only problem was, and he said that he would address, would be any water runoff, and he talks, correct me if I'm wrong, Mike, but he did mention permeable concrete or macadam for the parking lots.

MR. DEMPSEY: He mentioned that as a possibility, yes.

MR. BURKE: Right. And that was my concern about, it's always runoff, because I haven't seen many projects, to be honest with you, I've never seen any project where we've built and somebody would get water down the hill. But he said he would take care of that. That's, I think he said, a possibility.

I think it would be a big plus to us, too, if that project is done correctly and water problems are solved. I think it can be great for the community. And that's all.

Thank you to the DPW getting that line painted and helping the police down in
front of Henry's. And I'm going to see if Rich
could get together with you guys again to try
to get a couple more just because with school
back there, it is a dangerous street to cross
for our children. And that's all I have at
this time.

MR. DEMPSEY: Okay. Thanks.

MR. BURKE: Oh. No. I do have one
more thing. I'm sorry. I'll volunteer my time
if we need any help at the stand to get it open
for the soccer games. People were asking me,
my grandchildren play soccer in the soccer
league, and they ask me every weekend when
we're going to open. So, if you need any
volunteers, I'll volunteer for the stands until
Council decides what they're going to do. I
mean, I'm not going every hour, but I'll put a
time there and I'll ask parents that are asking
me, if they'll do what --

MR. MCHALE: Tim, before you go, we
had a company who was going to come in to do
it, they couldn't get there that quick. I
asked DGR to do it. DGR, who you're talking
about, them to do it, and they have not
answered. So, I appreciate you putting your
neck out there, but they've already been asked.

MR. BURKE: Okay. Well, I'm just saying I'll volunteer.

MR. MCHALE: Talk to the coaches.

MR. BURKE: Well, I'll do what Union County did with their baseball games.

MR. MCHALE: And I did it all by myself practically with my kids.

MR. BURKE: Right.

MR. MCHALE: And gave all the money to the Borough. They're long days, and I was there from morning to night. I'm not looking for a pat on the back, but it's not easy.

MR. BURKE: I'm sure it's not, that's why I'm saying, I'll volunteer, I'll look for help.

MR. MCHALE: But, again, DGR, it's in their hands right now.

MR. BURKE: Okay. Well, I'll talk to them and see if they want to start.

MR. MCHALE: They've already been spoken to.

MR. BURKE: Okay. Well, I'll tell them, you know, if they want, if they're not getting volunteers --
MR. MCHALE: Yeah. They've already been spoken to.

MR. BURKE: Okay. Well, anyway, I'll bring that up with them again, because it's money that we're losing there until we find out what we're going to do with the stand. Okay. And that's all I have for tonight.

Thank you.

MR. DEMPSEY: Thanks. Didgy, anything?

MR. JUDGE: Nothing.

MR. DEMPSEY: Vito?

MR. RUGGIERO: Nothing.

MR. DEMPSEY: All right. I'll look for a motion -- I'm sorry. Chris. Chief. You're blending in over there. I apologize.

MR. DENAPLES: Nothing.

MR. DEMPSEY: All right. With that, did I miss anybody else?

(No response.)

MR. DEMPSEY: All right. I'll look for a motion to adjourn.

MR. EHNOT: I'll make that motion.

MR. DEMPSEY: Second?

MR. HALLINAN: Second.
MR. DEMPSEY: All those in favor say aye.

ALL MEMBERS: Aye.

MR. DEMPSEY: Opposed?

(No response.)

MR. DEMPSEY: We're 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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