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COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Tuesday, October 14, 2014

TIME:

7:00 P.M.

LOCATION:

DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

C O U N C I L M E M B E R S :

MICHAEL MCHALE, President

PAUL NARDOZZI, Vice President

SAL VERRASTRO

TIMOTHY BURKE

CAROL SCRIMALLI

THOMAS HALLINAN

MICHAEL DEMPSEY

THOMAS P. CUMMINGS, Esquire, Solicitor

MARIA McCOOL, RPR
OFFICIAL COURT REPORTER

1 (Pledge of Allegiance.)

2

3 ATTY. CUMMINGS: Mrs. Scrimalli.

4 MS. SCRIMALLI: Present.

5 ATTY. CUMMINGS: Mr. Burke.

6 MR. BURKE: Present.

7 ATTY. CUMMINGS: Mr. Verrastro.

8 MR. VERRASTRO: Present.

9 ATTY. CUMMINGS: Mr. Nardozzi.

10 MR. NARDOZZI: Here.

11 ATTY. CUMMINGS: Mr. Hallinan.

12 MR. HALLINAN: Present.

13 ATTY. CUMMINGS: Mr. Dempsey.

14 MR. DEMPSEY: Present.

15 ATTY. CUMMINGS: Mr. McHale.

16 MR. MCHALE: Here.

17 ATTY. CUMMINGS: Item number three

18 is public comment on agenda items.

19 MR. MCHALE: Is there any comment on

20 agenda items tonight?

21 (No response.)

22 MR. MCHALE: Seeing none.

23 ATTY. CUMMINGS: Item number four is

24 a motion to approve the minutes.

25 MS. SCRIMALLI: I'll make that

1 motion.

2 MR. NARDOZZI: I'll second.

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

5 (No response.)

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

8 MR. NARDOZZI: Aye.

9 MR. VERRASTRO: Aye.

10 MS. SCRIMALLI: Aye.

11 MR. BURKE: Aye.

12 MR. HALLINAN: Aye.

13 MR. DEMPSEY: Aye.

14 MR. MCHALE: I'm going to abstain.
15 It's 159 pages and I just got it today. I only
16 got through a hundred of it. Just for
17 technical purposes, I'm going to abstain. Go
18 ahead.

19 ATTY. CUMMINGS: Item number five a
20 motion to approve and pay the open bills.

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

22 MS. SCRIMALLI: I'll second that.

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

25 (No response.)

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

3 ALL MEMBERS: Aye.

4 MR. MCHALE: Opposed?

5 (No response.)

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

8 ATTY. CUMMINGS: Item number six is
9 a motion to approve and accept the 2015 Minimum
10 Municipal Obligation references MMO.

11 MR. NARDOZZI: I'll make that
12 motion, Mr. Chairman.

13 MR. DEMPSEY: I'll second it.

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

16 MR. VERRASTRO: Yes, what's the
17 split? Do we have that on there?

18 MR. MCHALE: It's 317 for
19 firefighters' pension fund, police is --

20 MR. VERRASTRO: No, I'm sorry, what
21 the State's contributing and what we're going
22 to have to --

23 MR. MCHALE: Do you have that --

24 MR. RUGGIERO: I don't have it.

25 MR. MCHALE: Okay.

1 MR. VERRASTRO: I was just
2 wondering, okay. What was the total amount?

3 MR. MCHALE: Total is 900 --

4 MR. VERRASTRO: So it's down quite a
5 bit.

6 MR. MCHALE: 950,000, down about a
7 155,000.

8 MR. VERRASTRO: Thank you.

9 MR. MCHALE: Anybody else on the
10 question?

11 (No response.)

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

14 ALL MEMBERS: Aye.

15 MR. MCHALE: Opposed?

16 (No response.)

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

19 ATTY. CUMMINGS: Item number seven
20 is a motion to pass a resolution showing
21 support for Marywood University Learning Center
22 Commons grant application.

23 MR. NARDOZZI: I'll make that
24 motion, Mr. Chairman.

25 MS. SCRIMALLI: I'll second that.

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

3 MR. HALLINAN: On the question will
4 that be open to Dunmore students, people,
5 whatever residents? I mean, I see here it says
6 opportunities for community members but what
7 does that exactly mean? Because I know just to
8 walk on their campus you would need an ID to
9 get into anything there.

10 MR. MCHALE: Mr. Ruggiero, do you
11 know by chance?

12 MR. RUGGIERO: I could address that
13 with Maryellen Coleman. She's -- the way she
14 portrayed it what she said to me on the
15 telephone was that it is going to be open to
16 all Dunmore residents, whether there's going to
17 be an ID given for each Dunmore resident, I
18 don't know. But I could find out.

19 MR. HALLINAN: Thank you, Vito.

20 MR. MCHALE: Anybody else?

21 (No response.)

22 MR. MCHALE: I have a motion and a
23 second. All those in favor signify by saying
24 aye.

25 ALL MEMBERS: Aye.

1 MR. MCHALE: Opposed?

2 (No response.)

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

5 ATTY. CUMMINGS: Item number eight
6 is a motion to pass a resolution for support of
7 the Sherwood Youth Association grant
8 application for a splash pad at Sherwood Park.

9 MR. VERRASTRO: I'll make that
10 motion.

11 MS. SCRIMALLI: I'll second that.

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

14 (No response.)

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

17 ALL MEMBERS: Aye.

18 MR. MCHALE: Opposed?

19 (No response.)

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

22 ATTY. CUMMINGS: Item number eight
23 and a half is Mr. Hetman from Lackawanna County
24 to present the County's information this
25 evening.

1 MR. HETMAN: Can everyone hear me?
2 Is this on now? All right. I'll just speak a
3 little bit louder. Good evening, ladies and
4 gentlemen of Council, ladies and gentlemen, I'm
5 Gerard Hetman from Lackawanna County's
6 Community Relations Department.

7 Briefly this evening, as I mentioned
8 at my last report, Lackawanna County
9 Commissioners along with our Revenue and
10 Finance staff are in the process of crafting
11 and presenting Lackawanna County General Fund
12 Budget for the 2015 fiscal year.

13 So with that in mind on Wednesday,
14 October 15th, at 11 a.m., tomorrow morning, the
15 Lackawanna County Commissioners will present
16 the proposed 2015 Lackawanna County Budget.

17 Presentation will take place in the
18 Commissioner's conference room on the sixth
19 floor of the Lackawanna County Administration
20 Building, 200 Adams Avenue in Scranton. The
21 public is invited to attend the presentation.

22 Also the Lackawanna County
23 Commissioners will host a series of four public
24 hearings on the proposed 2015 Lackawanna County
25 Budget. Members of the public are invited to

1 attend and offer comments and ask questions
2 about the budget and the budget process.

3 The dates and locations for the
4 hearings are as follows:

5 Wednesday, October 22nd at 11 a.m.,
6 in the Commission's conference room, sixth
7 floor of the County Administration Building,
8 200 Adams Avenue in Scranton immediately
9 following the scheduled Lackawanna County
10 Commissioner's meeting.

11 The second is Monday, October 27th
12 at 3 p.m., in Jefferson Township Municipal
13 Building, 487 Cortez Road in Jefferson
14 Township.

15 The third is Wednesday, October 29th
16 at 6:30 p.m., at the Jermyn Borough Building,
17 440 Jefferson Avenue in Jermyn; and lastly
18 Wednesday, October 29th at 8 p.m., at the
19 Dickson City Borough Building, 901 Enterprise
20 Street, Dickson City, PA.

21 Just as an explanation, last year
22 Dunmore Borough Council was gracious enough to
23 host this in this facility one of our four
24 required public hearings.

25 However, the Home Rule Charter does

1 stipulate that we do have to move between
2 different locations for every three years. So
3 after last year, we can't come back to Dunmore
4 for the next three budget cycles. So we have
5 to go to some other places around the county.

6 The public is welcomed as anyone
7 here in this room certainly to come, ask
8 questions, give their input on any part of the
9 budget process because the Commissioners
10 haven't officially released the budget, I don't
11 have any details to offer on it tonight.

12 But I will be certain to give a
13 brief -- a thorough report on the budget when I
14 come to next month's Council meeting here in
15 Dunmore. The only other item that we have is
16 the Parks and Recreation Department of
17 Lackawanna County is holding their annual boys
18 and girls basketball clinics this month.

19 Three of them have already started.
20 Two locations around the county have yet to
21 begin. Those are at Scranton High School and
22 Valley View Intermediate School. We'll
23 certainly leave a flyer here -- a copy for
24 anyone interested in registering for that
25 program. And that's all we have for this

1 evening. Thank you as always, ladies and
2 gentlemen.

3 MR. MCHALE: Thank you, sir.

4 MS. SCRIMALLI: Thank you.

5 ATTY. CUMMINGS: The next item is
6 number nine, public comment presumably on non
7 agenda items. For those who are not regular
8 attendees, anyone wishing to address Council
9 can come to the podium and simply state your
10 name and your municipality of residence and you
11 may proceed.

12 There is a procedure for five minute
13 limit. That's basically at the discretion of
14 the Council. Mr. McHale.

15 MR. MCHALE: Quickly before we open
16 up the public comment, I want to make one
17 apology. Last meeting I inadvertently totally
18 my mistake closed open discussion thinking that
19 everybody was done speaking. And especially
20 Gary Duncan and his group, I mistakenly closed
21 without allowing them to speak.

22 So I do apologize to Gary. I did
23 reach out to him, totally my mistake, won't
24 happen again. And again I apologize, but if
25 anybody does want to speak, yes, the five

1 minute limit if we can keep it to that we'd
2 appreciate it. We do have a lot of leniency
3 and even though we do represent the Dunmore
4 taxpayers, we've opened it up to anybody who
5 wishes to speak and will continue to do so. So
6 without further ado, please. Definitely you're
7 going to get a chance, Gary, I promise.

8 MS. SMITH: Council members, ladies
9 and gentlemen, my name is Alice Smith. I live
10 at 1310 Adams Avenue, Dunmore. My concern is
11 547 Larch Street, Andy Vorachak's place. On
12 October 8th, which was last week the dumpster
13 was moved finally.

14 But it has been there for four weeks
15 full right to the top, people coming rooting
16 through looking to see what they can find.
17 Now, they moved the dumpster in between the
18 house and the garage which is great because it
19 worked out perfectly for the people on Adams
20 Avenue where they had room to park their cars
21 and no problem.

22 Well, when they emptied the dumpster
23 and brought the dumpster back, they threw it
24 out in the street again away from their
25 property, away from the curb. We have people

1 that are swerving to go down Adams Avenue
2 trying to stop at the stop sign and people
3 trying to park there, which is making it
4 impossible.

5 Is there something that could be
6 done that they could have their dumpster back
7 in between the house and the garage like it was
8 before?

9 MR. NARDOZZI: I think we have an
10 ordinance that allows them to put the dumpster
11 on the street. But I think there's a
12 definitive time limit that they can do it.

13 MS. SMITH: But it's sitting there
14 and, like, they're not doing nothing to their
15 house.

16 MR. NARDOZZI: That's something
17 Vito's going to have to work with Joe Lorince
18 on that.

19 MS. SMITH: I mean, I would really
20 appreciate if, like, the dumpster could be
21 moved further in so there doesn't create an
22 accident on our street.

23 MR. MCHALE: Absolutely.

24 MS. SMITH: Thank you.

25 MR. MCHALE: You're welcome.

1 MS. SCRIMALLI: Thank you.

2 MR. VERRASTRO: Hello, Gary.

3 MR. DUNCAN: All right. Gary
4 Duncan, 117 Barton Street, Dunmore. I don't
5 think I really need the microphone. I come up
6 tonight and I appreciate what you said. And
7 again, I think everybody from the Neighborhood
8 Watch does because we have a large group here
9 again tonight.

10 But I -- this is the good news for
11 the evening. Vito is here tonight. Didge is
12 here tonight. And we have a lot of people
13 involved in doing corrections after the last
14 Dunmore Neighborhood Watch meeting we had -- I
15 think we had a grand total of three pages of
16 notations, different things in the Borough that
17 we had asked it be addressed and that included
18 crosswalks being repainted, not just up by
19 Rita's but over by the tank, new signage put
20 in.

21 And the police were very beneficial
22 in getting automobiles moved that some of the
23 folks that came to the meeting complained
24 about. So I know people take a hard look at
25 things. And I know there's a lot of things

1 that we wish would be better.

2 But this is a situation where for
3 the public record, I have to thank those
4 involved, DPW, Didge, the street guys that got
5 out there and did everything for us, getting
6 the signs up.

7 And that really is a lot of work. I
8 have to thank the police because they come --
9 we have a liaison at every single meeting. A
10 week yesterday -- I keep thinking it's Monday.
11 But Monday the 20th, we have our October
12 Dunmore Neighborhood Watch meeting.

13 I talked to Chief DeNaples. He's --
14 October for those of you who don't know it is
15 fire prevention month. Last week it was the
16 week specific.

17 But it goes for the entire month of
18 October. Chief DeNaples is going to have one
19 of the captains on the fire department come
20 down. And he's going to address the group so
21 we can talk about home safety and those types
22 of things that deal with fire issues.

23 I think everybody that's here
24 tonight realizes, you know, we have had
25 fatalities at a fire in Dunmore in the not too

1 recent past.

2 So I think it's a great asset that
3 we have the community support that the Captain
4 from the Fire Department is going to be here to
5 address it.

6 So I hope, you know, as many of you
7 that are here tonight, I hope you can all join
8 us at next week's Dunmore Neighborhood Watch
9 meeting. Thanks again, Mr. McHale. And thanks
10 everybody that, you know, works for the Borough
11 that came out and really did do their due
12 diligence and got everything corrected in such
13 a rapid response.

14 I know there's a couple outstanding
15 issues. I talked to Vito. I know we're
16 working on those. So I have every hope and I
17 believe that we're going to get those fixed in
18 the next week or so. So I think it's a done
19 thing. So thanks, everybody. That's it.

20 ALL MEMBERS: Thanks, Gary.

21 MS. COYLE: My name is Maureen
22 Coyle, 1100 Taylor Avenue in Dunmore. I'm here
23 to thank Dunmore Council, Mr. Ruggiero, Dunmore
24 Police Department and Dunmore Neighborhood
25 Watch.

1 We have a lot of problems up in
2 Buenzli Court. We have a light up there now,
3 it's up. It's working. Thank you very much.
4 The Dunmore Police are diving through. We have
5 a lot of drug dealings going on. There's no
6 cars there since the light went up. They're
7 not dealing there anymore.

8 So from me and my neighbors up
9 there, we just want to say thank you to all of
10 you.

11 MR. NARDOZZI: Thank you, Maureen.

12 MS. SCRIMALLI: Thank you.

13 MR. MCHALE: Thank you. Anybody
14 else?

15 MS. DEMPSEY: Hi, I'm Michele
16 Dempsey. I live in Jefferson County, grew up
17 in Dunmore. I just wanted -- this is just a
18 followup to some information I'd given at an
19 earlier Dunmore Council meeting.

20 And I just want to present it. So
21 this weekend some excellent reporting in the
22 Sunday Times confirmed what we suspected. The
23 landfill has been leaking for years and our
24 ground water is already contaminated and
25 compromised.

1 Today there was an article in the
2 paper in which a landfill consultant is telling
3 us that suddenly there are only about five
4 years left before the current landfill permit
5 reaches its limit.

6 This is because after all these
7 decades it has finally been deemed important to
8 move trash from an old unlined landfill to a
9 newer lined landfill. And we were being told
10 that the cost to the taxpayers to transport
11 trash out of the region would be enormous. The
12 implication being that we cannot possibly
13 survive without the landfill.

14 I have never been so absolutely
15 certain that the opposite is true. The short
16 term financial challenges mentioned by the
17 consultant in today's article would be
18 absolutely dwarfed by the long term negative
19 financial, health, and environmental impacts on
20 our community if the expansion is allowed.

21 This landfill is hurting your home
22 and property values. The bigger it gets, the
23 lower value of your homes. The landfill is
24 damaging our health. It's leaking leachate
25 into our ground water. And it's full of toxic

1 chemicals, some of which come from hazardous
2 fracking waste.

3 The runoff will go into our rivers
4 untreated. It's 450 feet from a backup water
5 supply that we drink. The air is foul and
6 seagulls carry disease in their droppings.

7 And worst of all, studies have shown
8 living near landfills can reduce immune system
9 function and lead to increase risk of certain
10 types of cancer including bladder, brain, and
11 leukemia and such among people who live near
12 landfills.

13 Further a study by researchers at
14 the London School of Hygiene and Tropical
15 Medicine also found that babies born to mothers
16 who live near landfills have a significantly
17 greater risk of birth defects.

18 What is the cost of all that? What
19 will be the cost along the way or in 50 years
20 when we have a mountain of garbage seething
21 leachate below the ground and liners fail? Who
22 will pay for that? We survived before the
23 landfill. We will survive when our garbage is
24 taken elsewhere because we have taken more than
25 our fair share.

1 In fact, it is the key to our
2 survival to do so. Enough is enough. So
3 finally as I mentioned in a previous meeting, I
4 gave out information about an organization
5 called Friends of Lackawanna. This group is
6 now a registered nonprofit 501C3. And the
7 website is WWW dot Friends of Lackawanna dot
8 org.

9 There's also a Facebook page where
10 you could get information. You could help our
11 mission. We are committed to protecting the
12 health and safety of our community as well as
13 our property values regional and the
14 environment.

15 We are working with an environmental
16 lawyer and hiring experts to review the Phase
17 III permit for the expansion of the Keystone
18 Sanitary Landfill. Please help us stop this
19 expansion. No donation is too small. And all
20 donations are greatly appreciated and are tax
21 deductible.

22 We will also have a causes dot com
23 campaign site set up soon for online donations.
24 In the meantime checks can be made payable to
25 Friends of Lackawanna at our attorney's office.

1 That information is on the donations link on
2 the website I mentioned. We need you. And you
3 will make a difference. Thank you very much.

4 MR. MCHALE: Thank you.

5 MS. SCRIMALLI: Thank you.

6 MR. HALLINAN: Thank you.

7 MR. CLARK: Pat Clark, Dunmore. In
8 general for the Council I think a lot of the
9 people are probably here for an update on the
10 landfill negotiations or lack thereof. Is
11 there any information you could share publicly
12 about where things stand or don't stand?

13 MR. MCHALE: There -- we've been
14 trying to get something together. And I think
15 what was presented to you last time fell short
16 of your expectations. And in hindsight fell
17 short of mine.

18 I'll take the personal blame for it
19 even though Council had all the information, I
20 should have known better than to -- you know,
21 some of the questions that were brought up I
22 should have known better. So nothing will come
23 in front of this Council until it's clearly
24 stated that we're -- what we're trying to do is
25 not support Phase III expansion.

1 If I have a vote, I'll vote no to
2 that, which we don't have a vote. But if I do,
3 I would vote no. I'm against that. Publicly,
4 I said it before and I'll say it again. But an
5 agreement that comes to -- in front of us will
6 take care of our past debt, take care of free
7 garbage for life of the landfill whether it be
8 4, 5, 10, 50 years and increase our fee from 41
9 cents to whatever it's going to be clearly
10 stated all that's going to be in the contract.
11 And that is it.

12 MR. CLARK: Is there any expected
13 timeline on the negotiations?

14 MR. MCHALE: No. No.

15 MR. CLARK: I think it's a good
16 point I'd like to thank you -- I should rewind
17 a little bit. I would like to thank you all
18 for tabling the agreement last month. I know
19 it was not as cordial of as a meeting probably
20 typically should be. So I thank you for that.

21 I know that was not an easy thing to
22 do most likely given all the work that went
23 into it. You mentioned a point about you being
24 personally being against the landfill. I think
25 a lot of people here probably are.

1 I know we don't have a formal vote
2 in that. But would it be all right to ask
3 everyone on Council if they are personally for
4 it or against the expansion of Phase III?

5 MR. MCHALE: Tom? Poll Council?

6 ATTY. CUMMINGS: At your discretion.

7 MR. MCHALE: It's up to you guys.
8 If you guys want to speak that's -- you know,
9 Pat, I just don't want to poll Council on my
10 behalf but --

11 MR. CLARK: No, that's why I'm
12 asking.

13 MR. MCHALE: Anyone want to speak?

14 MR. DEMPSEY: I'm against it.

15 MR. HALLINAN: I've said from day
16 one that I'm not for the expansion of the 60
17 years. I can't predict what will happen. I
18 said earlier two meetings ago I don't have a
19 crystal ball. I couldn't imagine what would be
20 out there.

21 Do I want to see some kind of fee
22 agreement for the nine years or anything we
23 have, why not? I mean, I think this Borough
24 could use money. Mr. Duncan just said of all
25 the improvements we just made, cost money.

1 People get lights. It costs money. Everything
2 costs money.

3 I mean, it's easy to sit back and
4 say, you know, hey, don't take that money. I'm
5 not looking into Phase III. Trust me. You
6 could come knock down my door if I ever approve
7 Phase III if I have a count. I mean, what do
8 we do? And I know it sounds so -- I'm talking
9 too much --

10 MR. CLARK: No.

11 MR. HALLINAN: But am I for Phase
12 III, no.

13 MR. NARDOZZI: Against but for a fee
14 agreement.

15 MR. VERRASTRO: I'm definitely for a
16 fee agreement as everybody is saying.

17 MR. CLARK: Okay.

18 MR. VERRASTRO: I have -- I get
19 mixed feelings because I don't want to support
20 the landfill. But I don't want to lose out on
21 any money if it's stuck there. So do I want a
22 landfill, absolutely not. Do I think we're
23 going to be stuck with a landfill, absolutely
24 because even if we say no if we have a vote
25 which we really don't --

1 MR. CLARK: Right.

2 MR. VERRASTRO: It's in Throop. So
3 we're talking about not being --

4 MR. CLARK: Sure.

5 MR. VERRASTRO: -- another, I don't
6 know, 15 or 20 acres away or whatever it is or
7 40 acres from where we're at. So it's going to
8 be there because -- I don't want to start a
9 war.

10 I'm just curious, how many people
11 went to Throop and complained because whatever
12 we say doesn't -- isn't going to matter if it's
13 still going to be in Throop. So that's
14 something you guys have to think about.

15 But do I want one, no. Do I think
16 it's going to be there? We're going to be
17 stuck with one whether we want it or not
18 because it's already there.

19 MR. CLARK: Right. Thank you.

20 MR. BURKE: I'm against the
21 expansion. I think it's right that Council is
22 trying to work to get a better fee because
23 we've been screwed for 30 years. And I don't
24 want to get screwed for another 50 years.

25 But as far as if I had a choice

1 expansion or the money, of course -- I mean
2 close. I'd rather it close because I'm more
3 worried about the health of this community than
4 anything else. Do I trust DEP? I don't
5 know -- I don't think anybody in this audience
6 trusts DEP if they read the newspaper the last
7 month.

8 I think we know whose side they're
9 on. It's going to be a big battle with them
10 because I don't think we're going to get any
11 help at all with them. They were withholding
12 information as you read in the paper.

13 It wasn't important for us to
14 know -- if it wasn't for Kyle and the Times ask
15 through the right to know to find out the
16 information, we never would have even known
17 that. So I know everybody here knows we're up
18 against a battle, not only the landfill but
19 DEP.

20 I think they protect him. It's a
21 sin that they did not fine him that maybe did
22 they think if they did fine him once in a while
23 that 12 years maybe could have fixed the
24 problems of the leachate leaking into the land?
25 It doesn't make sense that they didn't fine

1 him.

2 But then again, you read the
3 statements too about they didn't think it was a
4 conflict of interest that his nephew was doing
5 the study. And that's ridiculous. But
6 everybody reads the paper or if they haven't,
7 they've been told and they've been reading
8 Friends of Lackawanna.

9 But you know we're up against the
10 DEP on this too. They haven't -- and without
11 any help too from any of our legislators
12 increased the fee from 41 cents since it was
13 enacted.

14 But landfill will increase their
15 fees, they'll increase their monies. But I'll
16 take the choice if I had a choice of a landfill
17 closing, I'd rather close it and have my family
18 feel safer.

19 I do agree with Council trying to
20 make, you know, trying to make something out of
21 this because we've -- like I said, we were
22 screwed for 30 years. And I don't want to get
23 screwed another -- well, 50, 60 years down the
24 line. I don't want anything to happen to my
25 family, my grandkids.

1 MR. CLARK: Thank you.

2 MR. VERRASTRO: Something -- I don't
3 mean to interrupt you here. Sometimes what we
4 think personally is even against what we want
5 to do because it's our job to protect the
6 town --

7 MR. CLARK: Yeah.

8 MR. VERRASTRO: -- not our personal
9 views.

10 MR. CLARK: Yeah.

11 MR. VERRASTRO: That's why it
12 becomes so much turmoil in what you're doing.
13 I'm sorry, Carol, go ahead.

14 MS. SCRIMALLI: Well, it does
15 matter. I know what I feel. I have mixed
16 feelings. Do I want a landfill in my backyard,
17 no. If it's going to be here I feel that it is
18 my duty as I think my fellow Council members
19 feel that any kind of money that can be brought
20 to us would be worth getting.

21 That being said, I think that the
22 hard efforts on all of us here that are working
23 to work with the landfill as it is now and
24 working with people like yourselves who are
25 coming here and showing support because if you

1 didn't come, you know, we don't know how you
2 stand if you just, you know, but now that
3 you're here, now we have a very good
4 understanding of, you know, you residents how
5 you feel.

6 I would like to also let you know
7 that there are people who have fixed incomes
8 that have mixed feelings also. Do they want a
9 landfill in their backyard, no. But do they
10 want their taxes raised? I asked many people
11 this, especially those that are on the fixed
12 incomes. And they don't want their taxes
13 raised.

14 So any ideas that you could bring to
15 the table we're looking for all answers. And I
16 just want you to know I appreciate your coming
17 and supporting this town because that's what we
18 need. We need your physical presence. So
19 thank you very much.

20 MR. CLARK: If I could just add a
21 couple comments on that. I thank you. It's
22 interesting that we're 7-0, right, against a
23 landfill. I've done a little bit too much
24 research probably. I'll speculate here a
25 little bit. And you guys could say be quiet if

1 you want.

2 Council is in an impossible position
3 right here. Here's the reason. We speculate
4 why is the landfill negotiating now when they
5 don't need to? What's going on? Well,
6 there's a couple reasons they might, right?

7 They might want to maximize the
8 profit. They might want to maximize the value
9 of the landfill so if they ever wanted to sell
10 it, they've locked in and got rid of all
11 political risk for 40 years downstream.

12 They might want to get something in
13 place before perhaps a new governor is in place
14 and there's a more environmentally friendly
15 regime -- Harrisburg and the DEP. They also
16 might want to use it as leverage with their
17 application to expand. And I think that's
18 where the truth of the matter is.

19 If you read through the
20 documentation in the application, it's about
21 well over a thousand pages. It's 2 or 3000,
22 maybe.

23 MR. MCHALE: Seven binders, yep.

24 MR. CLARK: So one of the key
25 sections that the DEP looks at is called

1 the benefits and harm analysis. So really what
2 they do is they say, here are all the benefits
3 that the areas is going to get by expansion;
4 here are all the harms.

5 The benefit they could put money to.
6 The harms, there's no money to attach at all.
7 The benefits are typically things like they're
8 funding a program at Lackawanna College. They
9 could go so far as to include the salaries they
10 have to pay their people to run the landfill to
11 make more money count as a benefit.

12 That's a DEP argument, not a Borough
13 of Dunmore argument. What happens though is
14 that the Borough either negotiates now or runs
15 the risk of DEP making the decision and we're
16 locked out of anything. So if we don't
17 negotiate now, they could say -- DEP says grant
18 it and then the landfill could say you got
19 nothing.

20 You're in a no win position. I
21 think a lot of people in this room realizes.
22 It's not an easy decision. You've all said you
23 don't want the landfill. I think that would be
24 the majority of this room as well. Economics
25 are tough.

1 I would suggest, however, that if we
2 have any language in any revised agreement that
3 either has an option clause in there or
4 extends past the life of this existing permit,
5 it will be used by DEP as rationale that the
6 Borough is implicitly endorsing the expansion.

7 You may not have to say it. But the
8 fact that the application itself already has
9 revised numbers from the last contract in
10 there it's called -- it's in the documents. It
11 says year by year what they've agreed to what
12 Dunmore negotiated. It's not finalized.

13 And they say, well, send the -- send
14 the final agreement once agreed to. I think
15 it's vital that if any agreement we strike has
16 any language that crosses that threshold of
17 when Phase III starts or is suspected to start,
18 that we're in trouble through no fault of your
19 own.

20 It's the way the harms and benefits
21 analysis works. I think that's a struggle. I
22 think you're in a tough spot. I don't envy it.
23 But it's -- I think if we cross that line we're
24 in trouble because it will be used against us.

25 I would love to see some language

1 that specifically says this covers the existing
2 life of the existing landfill and that's it, no
3 more. We do not have any intention of going
4 into Phase III. That puts us in a tough spot
5 as well. The day could come when Phase III
6 gets approved if it does. And then you say
7 we're at zero. We're back at 41 cents I guess
8 is the more realistic outcome.

9 And maybe we have to pay for our own
10 garbage. That's, you know, negotiations, I
11 guess. So I think it's important that everyone
12 understands the difference there. It's not --
13 it's not we want the landfill or not. I think
14 you're in a tough spot. But I think it's
15 important that no language should ever cross
16 the threshold of whether or not anything to do
17 with Phase III is in there because it will be
18 used against us.

19 My only other question is, you know,
20 in reading through a lot of this stuff I have a
21 couple zoning questions. I know this is not a
22 zoning hearing board or anything like that. By
23 my read on the zoning code -- and it's just my
24 read. It's my read alone. We have height
25 restrictions in Dunmore limiting a structure to

1 a certain height.

2 There's some new case law that
3 defines a landfill as a structure. For
4 Council, have we gone into investigating this
5 and using it or not?

6 MR. MCHALE: This is the case that
7 you're speaking of.

8 MR. CLARK: Yeah, and it's a
9 landfill --

10 MR. MCHALE: We have. And Mr.
11 Cummings has recused himself from dealing with
12 the landfill for now -- or not for now, for
13 negotiations and so on. And the attorney that
14 we spoke to we're looking into it.

15 MR. CLARK: Okay.

16 MR. MCHALE: It's probably all I
17 could tell you right now, Pat. I don't mean to
18 be --

19 MR. CLARK: No, I just want to be
20 sure that we're aware of -- and the other
21 issue, you know, brought to light in today's
22 story in the Times, the story says we're
23 running out of space because of, you know, more
24 garbage coming in there and we had to move
25 things from the old dump.

1 There's language in our zoning code
2 that specifically says any landfill in the
3 Borough can only accept waste generated in
4 Lackawanna County. We're looking into that
5 issue as well?

6 MR. MCHALE: Well, that to my
7 knowledge -- and, Tom, cut me off if you want.
8 The interstate commerce when that was passed
9 that voided our zoning restriction.

10 MR. CLARK: Yeah, my understanding
11 is --

12 MR. MCHALE: Tom, is that correct?

13 ATTY. CUMMINGS: There's prior
14 decisions regarding the state commerce clause.
15 I think of greater import no one has ever
16 raised the issue. And our zoning code is
17 straight forward, follows the Municipal
18 Planning Code either at the direction of
19 Council or with written complaint, code
20 officer, zoning officer is to investigate and
21 issue an opinion.

22 And then either party aggrieved then
23 has the ability to go before the Zoning Hearing
24 Board to have a hearing within I believe 45
25 days and any party aggrieved from that can go

1 to county court.

2 So my suggestion -- I don't know if
3 it would be premature because to my knowledge,
4 the final application has not yet been accepted
5 by DEP as a complete application.

6 But unless and until either the code
7 officer of his own volition or at the direction
8 of Council or because of a written complaint
9 from somebody from the Borough either resident
10 or taxpayer, I don't know that anything will be
11 done.

12 But I do know that under the zoning
13 code which is online on the Borough website,
14 once the complaint or direction issues then it
15 has to proceed. And it probably -- you're in
16 30, 45, 60 day time limit. So it's fairly
17 quick.

18 MR. CLARK: Okay. But to be clear,
19 we do have zoning -- potentially two zoning
20 issues we could look into as a Borough and use
21 as an affirmative --

22 MR. MCHALE: We have --

23 MR. CLARK: -- some leverage.

24 MR. MCHALE: We have -- I don't want
25 to say have addressed those; but we have pushed

1 those onto our attorney.

2 MR. CLARK: Okay. My last question
3 is related to all of them. The zoning I think
4 is important that we look into. And I should
5 note that in the actual application itself,
6 Keystone has to speak to zoning and their
7 opinion is they have no outstanding violations
8 of any zoning issues or they don't see any
9 problems with it.

10 So I think we should look into that.
11 And I think we've got some affirmative actions
12 there. We always said required at negotiations
13 we don't have any leverage, well, I think we
14 might if we look into it. My last question,
15 Mr. Cummings, Mr. McHale said you recused
16 yourself from this issue. May I ask why?

17 ATTY. CUMMINGS: I don't think
18 Council was happy with my performance. So
19 rather than have a conflict since they were
20 looking at outside counsel cleanly only on this
21 issue, I offered that that would be fine if
22 that's their desire I'd recuse myself.

23 MR. CLARK: Was there any personal
24 conflict of interest --

25 ATTY. CUMMINGS: No.

1 MR. CLARK: No conflict of interest?

2 ATTY. CUMMINGS: None.

3 MR. CLARK: That's it. Thank you.

4 MR. HALLINAN: Thank you.

5 MR. KRANICK: Good afternoon,
6 Council. Francis Kranick, 227 Chestnut Street.
7 Just a point of order. Last meeting we had --
8 I posed a question whether or not any Council
9 members had any conflict of interest, a
10 potential conflict of interest.

11 And looking through the minutes, I
12 realize that Mr. Verrastro and Mr. McHale were
13 the only two that answered. So I thought just
14 to clear the air if everybody could sign off
15 yes or no if they feel there is any kind of
16 conflict of interest in negotiations with the
17 landfill, it would be better to know now than
18 later on. So I would ask going down the line,
19 Mrs. Scrimalli?

20 MS. SCRIMALLI: No.

21 MR. KRANICK: Mr. Burke.

22 MR. BURKE: No conflict, no.

23 MR. KRANICK: Mr. Nardozzi.

24 MR. NARDOZZI: None.

25 MR. KRANICK: Mr. Hallinan.

1 MR. HALLINAN: No. I'm retired.

2 MR. KRANICK: Mr. Dempsey.

3 MR. DEMPSEY: Absolutely not.

4 MR. KRANICK: Thank you so much.

5 With your recusal, Mr. Cummings, will the
6 agreement that was proposed be nullified and a
7 new proposal drawn up -- a new agreement drawn
8 up?

9 MR. MCHALE: That's at both parties'
10 discretion. If we're working on it -- like I
11 said, an agreement that looks nothing like the
12 last one will come in front of this Council if
13 it does, it will be agreed to by both parties.
14 It will look nothing like the last one.

15 MR. KRANICK: Very good. All right.
16 Thank you very much.

17 MR. HALLINAN: Thanks, Francis.

18 MS. SPANISH: Katharn Spanish, 100
19 Swinick Drive. I believe at a previous Council
20 meeting, it was mentioned that there was a
21 letter that Dunmore sent to the DEP that said
22 we had no intention of filing an objection to
23 the expansion of the landfill. Is that
24 correct?

25 MR. MCHALE: Yes.

1 MS. SPANISH: In light of the
2 information that has been released in the
3 newspapers and various articles, does Council
4 have any intention of rescinding that letter at
5 this time?

6 MR. MCHALE: A second letter was
7 sent mainly because of Mr. Burke and he got us
8 on the right track and a second letter was
9 sent.

10 MS. SPANISH: Okay. Thank you.

11 MR. MCHALE: Thank you.

12 MR. PERRY: Mark Perry, 1302 Green
13 Ridge Street. I just want to say one -- about
14 a week or so ago in front of our house, we had
15 a humongous branch fall off our tree Monday
16 morning at quarter to seven. In ten minutes,
17 the police were at my front door apologizing to
18 me for bothering me.

19 The -- Sal, two crews came down and
20 blocked the street off. Didge was there in 10
21 minutes with 15 people. And this was a -- this
22 blocked traffic. They cleaned whole thing up
23 as usual in about half an hour with 15 people
24 there.

25 And so I just want to say thank you.

1 It's an example as you know we all know who
2 live here how good the cops and the DPW work
3 for the town. Just on this issue of contract,
4 can I ask you if you're going to negotiate and
5 enter into another contract or discussions, are
6 you going to then before you come to a meeting
7 distribute it so people can review it and then
8 comment on beforehand?

9 MR. MCHALE: Sure. We can do that.

10 MR. PERRY: Because last time I was
11 here on the 8th. And, you know, we talked. It
12 wasn't really a discussion about that
13 particularly. But we got into a discussion
14 about it. And at that time everyone said,
15 well, there is no -- even though you've had
16 some discussions at Keystone and you were
17 trying to open negotiations at that point while
18 Keystone was gracious enough to listen to you
19 several times, they weren't going to do
20 anything.

21 And two weeks later as I understand,
22 I wasn't here. That went from there to zero to
23 170 where you have an agreement where you're
24 looking at it and you're looking to sign it.
25 So I think that's where people get uneasy where

1 within two weeks, you know, it goes from you've
2 never even had discussions to a contract ready
3 to sign.

4 I think that's what gets people
5 anxious about what's happening. I think if
6 you -- before something gets to that stage
7 again if you could have a meeting where people
8 could look at it, discuss it like you did last
9 meeting, people get their input on it. And,
10 you know, you could talk about it before that
11 because I think what Pat says is right.

12 I think if you agree to a contract
13 that extends beyond the nine years, if I were
14 Keystone, I would certainly say, well,
15 obviously the Borough -- one, I would say, one,
16 they already sent a letter saying they have not
17 objected to it which I guess has been
18 rescinded?

19 MR. MCHALE: Well, a second letter
20 was sent, yes.

21 MR. PERRY: What does the second
22 letter say we -- what does it say in the
23 letter?

24 MR. MCHALE: Tim, do you want to
25 speak to it?

1 MR. BURKE: I didn't see the second
2 letter.

3 MR. MCHALE: The letter that we sent
4 to copy Throop.

5 MR. BURKE: That we sent to --

6 MR. MCHALE: DEP.

7 MR. BURKE: Oh, to DEP, I'm sorry.
8 Vito, do you have that letter?

9 MR. RUGGIERO: No, I don't have it
10 with me.

11 MR. BURKE: I don't have it with me.

12 MR. PERRY: I'm just saying it looks
13 like the vast majority of you agree that you
14 don't want the landfill. I think most people
15 don't. And I understand completely the
16 position you're in obviously to try to get the
17 best deal as possible. It's tough.

18 But if you tell -- obviously if you
19 say you're not going to oppose it and then have
20 said that you have an agreement that you're
21 looking to sign it's going to extend for 50
22 years, if I were the applicant, I would say,
23 well, look, obviously the Borough -- their
24 elected officials don't disagree with this and
25 they're willing to sign an agreement that

1 extends 50 years and have said they don't
2 object.

3 So, I mean, I would ask at least at
4 this stage -- you may come to that decision
5 later on and say it's the best deal. For right
6 now, why don't you just take some time to -- if
7 you're going to do an agreement then at a
8 meeting or at a public schedule where people
9 can comment on it, look at it, say their peace
10 before you -- and you might decide to do it.

11 Before we decide to do that, let's,
12 you know, take a break and at least have a
13 meeting like this where people can discuss it
14 and, you know, look at it and review it. And
15 on those concepts you -- has the -- on behalf
16 of the Borough, have you looked at into hiring
17 an environmental consultant or environmental
18 lawyer or both to help you through the process?

19 MR. MCHALE: Yes. We put an
20 offer -- well, an RFQ out for lawyers. I'm
21 really -- the prices are a little staggering at
22 this point.

23 MR. PERRY: Yeah. No, I know
24 they're going to be expensive --

25 MR. MCHALE: Applicationwise --

1 MR. PERRY: -- given the enormity of
2 what we're likely to look at getting into with
3 the 50 year commitment, it's probably going to
4 be unfortunately -- it's going to be expensive.

5 I know you probably looked into it
6 already. But it's probably going to be worth
7 it to get -- at least someone on of the behalf
8 Borough can independently look at it. Keystone
9 has their folks. I mean, the Friends of
10 Lackawanna that's great they're going to get
11 independent folks looking at it too.

12 The Borough could get their own, you
13 know, someone from their standpoint to look at
14 it from an environmental engineering standpoint
15 but also a legal standpoint that could give
16 some good advice.

17 MR. VERRASTRO: Well, that's for
18 Phase III you're talking about. I don't mean
19 to -- you're talking about Phase III.

20 MR. PERRY: Yeah.

21 MR. VERRASTRO: You're not talking
22 about what we're trying to do with the other
23 one --

24 MR. PERRY: -- that too I guess. I
25 mean, the same with the landfill contract. I

1 mean, if you could get one -- obviously get a
2 contract that goes for the nine years without
3 any other commitment, great. Thank you very
4 much.

5 MR. NARDOZZI: Mark, can I answer
6 one point that you brought up?

7 MR. PERRY: Yeah.

8 MR. NARDOZZI: I think one of the
9 reasons you don't see the fee agreement on the
10 agenda right now is because this whole Council
11 is taking baby steps. You know, we don't want
12 to rush into anything. Of course, we
13 appreciate all the input from everybody,
14 including yourself. So that's -- the point
15 being is that's what we're doing.

16 MR. PERRY: That's great.

17 MS. NARO: Melanie Naro, Dunmore.
18 I'm really short. First, I want to thank all
19 seven of you for your dedication to the
20 Borough. It's really easy standing up here.
21 But until you sit in those seats there, people
22 don't realize what goes through your day to day
23 problems, trying to analyze everything.

24 So I commend each and every one of
25 you for your public service because it's

1 difficult and you all know it. I only know
2 what I've read in the paper. And I know what
3 you read in the paper isn't always the truth
4 and isn't everything.

5 The only thing I know was in August
6 when I was reading after an August meeting
7 Timmy Burke said this is the time that we
8 should be negotiating. This is the chance of a
9 lifetime.

10 Then in September, there was --
11 and I'm sorry, that was in July. In August
12 there was comment that we should hire an
13 environmental attorney versus -- first thing I
14 thought about why aren't we hiring an engineer
15 to look at the issue with the PennDOT
16 application was the voids -- the mine voids.

17 But that's what I read and no
18 decision. Then all of a sudden two weeks ago
19 or three weeks ago, I'm reading that there's
20 a contract out there and Council's been
21 negotiating. And they sent a letter to PennDOT
22 saying we're not going to oppose it.

23 And I was shocked at what happened.
24 And again, I wasn't at any of the meetings so I
25 don't know what was said just what was reported

1 in the newspaper. So maybe you guys need
2 better PR if you did something otherwise than
3 what was reported because one of the first
4 things I thought, a letter to PennDOT was it
5 voted on at a meeting. And I don't know
6 whether you all voted on it -- the letter to --

7 MR. BURKE: No, my words to Attorney
8 Cummings on when the landfill was asked -- and
9 it wasn't on the floor -- was do we have his
10 blessings. I told him, Tommy, absolutely not.
11 Tommy said I will -- he said I will make sure
12 he gets your message. That was my message to
13 Tommy, absolutely not he does not have my
14 approval.

15 MS. NARO: I don't know then how a
16 letter to the DEP got sent if it wasn't voted
17 on the floor saying that Dunmore's not going to
18 oppose it. Now I'm hearing a letter was sent
19 to DEP saying we're rescinding that letter.
20 Was that vote taken on the floor?

21 And I wasn't at any of the meetings
22 so I don't know. But I would think that's a
23 violation of the Sunshine Act either way that
24 you're supposed to have a public vote and
25 public comment -- more importantly public

1 comment.

2 And that's what I suggest to you.
3 We've done it with the methadone clinic. We
4 did it with other very controversial issues
5 that before you start negotiating or going to
6 Mill Street that you consider having a public
7 meeting with some proposals so people can make
8 some comments for you all to consider when you
9 go to negotiate or your attorney can go to
10 negotiate.

11 I did some research too about how
12 high a landfill can be -- not what our
13 ordinance says because Dunmore Zoning Ordinance
14 has been overturned in court many, many times.
15 So although it says we can't take out of county
16 or out of Borough trash, I think on appeal that
17 would be detrimental to our finances if we ever
18 fought that.

19 So one of the things that if a
20 landfill could go as high as it wants to be, in
21 New York one was as tall as the Statue of
22 Liberty. In California, one was as high as a
23 skyscraper. There may not be any preclusion
24 for the landfill going as tall as it wants to
25 but for the voids.

1 And so unless we're going to have as
2 a Borough an engineer saying, oh, this is a
3 problem or an expert saying this is hurting our
4 water or an expert saying this is going to
5 cause birth defects, I think D -- the
6 Department of Environmental Protection is going
7 to dismiss those claims that you have to -- a
8 lawyer -- there's a lot of lawyers here in the
9 audience. You know you need expert testimony.

10 And if you're not going to have
11 that, then I think the landfill is going to be
12 able to expand. So I agree with some of your
13 comments if this thing is going to expand, we
14 should get the best deal possible. And I hate
15 to be, you know, the devil's advocate here
16 because nobody wants a landfill in their
17 backyard.

18 I'm sure everybody who lives over in
19 the Swinick Development in those beautiful
20 homes don't -- they do not want to be looking
21 out their door and seeing, you know, the future
22 ski slope of Lackawanna County 50 years from
23 now because that's what's going to happen.

24 It's going to be -- that's what
25 happens to landfills. They become parks. They

1 become recreational areas. They become ski
2 slopes. And that's what's going to happen.
3 So, you know, is the Borough going to spend
4 money on an engineer? I don't know. It's
5 probably not in the budget, right -- 6,000 --

6 MR. VERRASTRO: I'm sorry, Melanie,
7 I don't mean to cut you off. But we hired one.

8 MS. NARO: Oh, did you?

9 MR. VERRASTRO: Yes.

10 MS. NARO: Okay. I didn't see that
11 in the paper. Well, that's good --

12 MR. VERRASTRO: We did it with
13 Throop. It was --

14 MS. NARO: Well, that's good to know
15 because I don't know unless you come to the
16 meetings the newspaper didn't report on that,
17 Sal. So again, I thank you for your public
18 service. I hope you diligently look at the
19 issues because if we're going to have that
20 monstrosity of a mound in our town, I hope that
21 Dunmore does get -- and my last thing and I
22 promise I won't say anything else.

23 I implore all of you and everyone
24 here to write to our State Senators, to our
25 representatives for them to increase the

1 minimum amount. It's been 41 cents too long.
2 If it's \$2, if it's \$3, then our hands aren't
3 tied. And we do not have to depend on this
4 money to balance our budgets. Thank you.

5 MR. NARDOZZI: Thanks, Mel.

6 MS. SCRIMALLI: Thank you.

7 MS. OVEN: Kathryn Oven, Madison
8 Avenue. Just to bring up a point you were
9 asking about -- people were asking about an
10 environmental lawyer. We have an environmental
11 lawyer. He's on retainer. And it was set up
12 through Friends of Lackawanna.

13 So the Borough keeps saying that
14 they can't do anything, their hands are tied
15 because it's a DEP decision. Yet you could
16 financially help by contributing to this
17 attorney. He's requested the water analysis.
18 He has sent a letter and put the DEP on notice
19 that he's representing us.

20 I mean, people can get involved by
21 putting money towards this attorney. He has an
22 excellent reputation. He's worked closely with
23 the DEP. He was involved in Act 31 which had
24 to deal with the fracking waste. So for people
25 to say we can't do anything because it's up to

1 the DEP is frustrating.

2 And I think that also as a Borough
3 Council you're doing a wonderful job, don't get
4 me wrong. But you could put more information
5 out there so all the residents of Dunmore are
6 aware of what's going on. I mean, there's I
7 don't know how many people in this room. There
8 should be 20 times this amount of people
9 because people are affected, their health,
10 their water, financially.

11 And I think that you could put stuff
12 on your website. You can get information and
13 disseminate it to the residents so that the
14 next meeting, there's more people here. And
15 more people need to write Blake, Kevin
16 Haggerty, sending letters to DEP. All the
17 information is on Facebook Friends of
18 Lackawanna.

19 And I think that unless people
20 become more aggressive and show the DEP we
21 don't want this, it's going to go through.

22 MR. NARDOZZI: Kath, can I make a
23 point for you?

24 MS. OVEN: Yes.

25 MR. NARDOZZI: On Facebook I have a

1 forum for the Borough. You're free to post
2 anything on my --

3 MS. OVEN: I'm not on Facebook but I
4 will get on --

5 MR. NARDOZZI: Or anyone else.
6 You're free to post anything on my forum for
7 the Borough.

8 MS. OVEN: Yeah, well, Friends of
9 Lackawanna is posting stuff pretty regularly.
10 But we will also jump on that as well.

11 MR. NARDOZZI: You're free to jump
12 on that if --

13 MS. OVEN: Okay. It tells you where
14 you could contribute and all the progress that
15 we're making with the --

16 MR. BURKE: Kathryn, I will be
17 donating to your lawyer. I wish we could have
18 one too. But, I mean, I will donate what I
19 could.

20 MS. OVEN: I appreciate it. I don't
21 think we need 10 lawyers. I think we need one
22 good one.

23 MR. BURKE: I agree.

24 MS. OVEN: And this guy is very
25 educated and very well versed in the goings on

1 with DEP and he's very familiar with the
2 landfill. And he is very hopeful. But we need
3 to support him. And we need to rally as a
4 Borough or else we're going to get run over
5 like we have been getting.

6 MR. BURKE: Great.

7 MS. SCRIMALLI: What is the
8 attorney's name?

9 MS. OVEN: It's listed on Friends of
10 Lackawanna. His name is Jordan Yeager. He's
11 out of Doylestown.

12 MS. SCRIMALLI: Thank you.

13 MR. MCHALE: Thank you.

14 MS. CLARK: Hi. Kristen Clark,
15 Jefferson Avenue. I just have a couple quick
16 questions. We talked about the negotiations.
17 But I was wondering if we could have an update
18 on the Phase III expansion and the DEP public
19 hearing if you've heard anything about it being
20 scheduled or --

21 MR. MCHALE: Tom?

22 ATTY. CUMMINGS: To my knowledge,
23 the DEP has not -- to my knowledge, they have
24 not yet finalized acceptance deeming it a final
25 application that would then open it up to the

1 review process, public meeting, public hearing.

2 The application that we gave to our
3 reviewing engineer is substantially the same.
4 But it is not final because of the drilling
5 report was not part of it and is now been
6 submitted. He does have a copy of that.

7 But I think it would be fruitless to
8 have a public meeting without a final
9 application because it would give somebody the
10 chance to jump over and say, yeah, that was
11 then but this is now and here's the new
12 information that's in the actual final.

13 MS. CLARK: So when will the
14 application be considered final?

15 ATTY. CUMMINGS: I'm not sure. I
16 know the DEP has -- and I don't know -- I can't
17 quote the days offhand. There's 60 or 90 days
18 where they either have to say yes it's final or
19 send a notice of deficiency.

20 MS. CLARK: Was the second letter
21 that Dunmore sent included in that application
22 to trump the first letter saying we support the
23 expansion? Do you know?

24 ATTY. CUMMINGS: I don't sure. I
25 don't know.

1 MS. CLARK: Do you know, Mike?

2 MR. MCHALE: I don't. Off the top
3 of my head, I don't.

4 MS. CLARK: What did the second
5 letter say or is there a way that you could
6 make it available for everyone to view?

7 MR. MCHALE: We can definitely make
8 it available. To quote it, I don't know -- do
9 you guys --

10 MS. CLARK: Did it specifically say
11 we rescind the first letter dated -- that's
12 just my question.

13 MR. MCHALE: Honestly, Kristen --

14 MS. CLARK: You don't know?

15 MR. MCHALE: Off the top of my head,
16 I don't know.

17 MS. CLARK: Okay. That's fine. Oh,
18 did you -- I'm sorry and I couldn't hear you
19 before. Did you say you have a Facebook page?

20 MR. NARDOZZI: Yes, forum -- a
21 Council forum on Facebook. I said you're free
22 to post.

23 MS. CLARK: Oh, okay. Thank you.

24 MR. NARDOZZI: As I allow everyone
25 from Dunmore to post any information.

1 MS. CLARK: Okay. I just couldn't
2 hear you because of the air conditioning. And
3 my other question is, I know that you said you
4 recused yourself from the negotiations. But --

5 ATTY. CUMMINGS: No, actually, more
6 specifically, I mean, I'll take myself out of
7 anything that Council prefer to use others for,
8 specifically the review of the Phase III
9 application and any contest thereof.

10 MS. CLARK: Okay.

11 ATTY. CUMMINGS: Statements I've
12 made in the past may have tainted something I
13 would say at a public hearing. I know at the
14 last meeting some took me to be evasive. But
15 you have to understand if I make a statement on
16 behalf of the Borough of record and we're in
17 litigation three years from now, I'm stuck with
18 the offhanded comment at the meeting. So, I
19 mean, the language is now out of play from the
20 agreement.

21 MS. CLARK: Okay.

22 ATTY. CUMMINGS: But that's I guess
23 the answer.

24 MS. CLARK: So has the Borough hired
25 someone that will help with the Phase III

1 expansion like our -- our support or --

2 MR. MCHALE: We've hired -- yes, we
3 have. We've hired an attorney to help us with
4 negotiations, any legal -- and obviously the
5 agreement would be a legal document. That's
6 where we're starting right now.

7 And obviously some of the stuff that
8 your husband brought up has been brought to his
9 attention as well, things like that.

10 MS. CLARK: So it will be for the
11 negotiations slash any sort of --

12 MR. VERRASTRO: We're going to meet
13 with him next week --

14 MS. CLARK: Okay.

15 MR. MCHALE: We're in the infancy
16 stage.

17 MR. VERRASTRO: -- and we don't know
18 exactly what he's going to be responsible for
19 in total. He might only accept a portion of
20 it. He might accept all of it.

21 MR. MCHALE: Or we may need another.
22 Who knows?

23 MS. CLARK: Okay.

24 UNIDENTIFIED MALE: Who's the
25 attorney?

1 MR. MCHALE: Bill Jones.

2 MR. VERRASTRO: Bill Jones.

3 MR. MCHALE: Please don't -- if you
4 want to come up and ask questions, you have to
5 do it on the record.

6 MS. CLARK: Who is the attorney?
7 Who is he?

8 MR. MCHALE: I got yelled at last
9 time.

10 MS. CLARK: What is the attorney's
11 name?

12 MR. VERRASTRO: Bill Jones.

13 MR. MCHALE: Bill Jones.

14 MS. CLARK: Okay. And Marks and
15 Marks, is that the environmental --

16 MR. MCHALE: The engineers?

17 MS. CLARK: The engineer.

18 ATTY. CUMMINGS: What's that?

19 MR. MCHALE: Marks and Marks.

20 ATTY. CUMMINGS: No.

21 UNIDENTIFIED WOMAN: Martin and
22 Martin.

23 ATTY. CUMMINGS: Is that who it is?

24 MR. MCHALE: Martin and Martin.

25 MS. CLARK: Okay. So they're the

1 ones that you hired with Throop?

2 MR. MCHALE: With Throop.

3 MS. CLARK: Okay.

4 MR. MCHALE: To review the
5 application.

6 MS. CLARK: Okay. I think that was
7 my only question. I'm just having a hard time
8 with when the DEP is going to consider it final
9 and what Mr. Clark said about the harm benefit
10 analysis and the financial information in the
11 application. When does that timeline --

12 ATTY. CUMMINGS: That's at DEP.
13 That's with the current application -- the harm
14 benefit.

15 MS. CLARK: But the fact that we
16 pulled negotiations off the table on the one
17 dollar which is possibly in the application,
18 when does that come out of the application or
19 will it come out or is that something we should
20 raise at public hearings?

21 ATTY. CUMMINGS: I think that would
22 be at Council's discretion.

23 MR. MCHALE: I think both. If it's
24 still in there. We didn't agree to it.

25 MS. CLARK: Okay.

1 MR. MCHALE: If it's asterized, I
2 haven't seen the latest harms and benefit. I
3 did review it two weeks ago.

4 MS. CLARK: Okay.

5 MR. MCHALE: So --

6 MR. VERRASTRO: If they show they
7 put an offer in and we rejected it --

8 MS. CLARK: But it is something we
9 can discuss at public hearing.

10 MR. MCHALE: Absolutely.

11 MR. VERRASTRO: If they show they
12 put an offer -- I'm sorry, Mike, I didn't mean
13 to --

14 MR. MCHALE: No, no, no, please.
15 She asked me a question. That's it.

16 MR. VERRASTRO: If they show they
17 put an offer in, we can't tell them they can't
18 put that in the application.

19 MS. CLARK: No, absolutely --

20 MR. MCHALE: If they --

21 MS. CLARK: -- as long as it doesn't
22 say that Dunmore agreed to it.

23 MR. MCHALE: Accept it. Exactly.
24 If it's asterized that this is what was offered
25 is still pending. I don't know if that's how

1 it works. I don't.

2 MS. CLARK: That's my only
3 confusion.

4 ATTY. CUMMINGS: I would suggest
5 since we have sufficient time to take a look at
6 the regulations of DEP regarding the public
7 meeting --

8 MS. CLARK: Okay.

9 ATTY. CUMMINGS: And the public
10 hearing --

11 MS. CLARK: Okay.

12 ATTY. CUMMINGS: There's different
13 procedural and there's different requirements.
14 One is almost conversational. The other
15 requires responses that become part of the
16 record.

17 MR. MCHALE: I think we'd all rather
18 the latter.

19 MS. CLARK: So that would be a
20 hearing. Okay. Do you have any
21 recommendations for the people that are here in
22 terms of the DEP and, you know, what can we do
23 to help you in terms of fighting the expansion?
24 I know that's kind of what everyone wants to
25 know.

1 MR. VERRASTRO: You can stop yelling
2 at me.

3 MS. CLARK: I did not yell. I
4 didn't. That was my sister. I did not yell.

5 MR. VERRASTRO: The room was so
6 dead, I had to say something.

7 MR. HALLINAN: I'd say the DEP
8 meeting is going to be major.

9 MS. CLARK: Okay.

10 MR. HALLINAN: I mean, it's -- it's
11 all I see -- I mean, obviously what we do I --
12 and we're look for --

13 MR. MCHALE: Hal, turn on your
14 microphone. I've never heard anybody say
15 you're quiet before they can't hear you.

16 MR. HALLINAN: I think the DEP
17 meeting is really big show of support. I
18 really do.

19 MS. CLARK: I think a lot of people
20 are concerned when is it going to happen, is it
21 going to happen. So we know it's going to
22 happen. It's just a matter of when and then
23 Dunmore could give us notice.

24 MR. MCHALE: We'll put it
25 everywhere.

1 MS. CLARK: Okay.

2 MR. MCHALE: I mean, it's a meeting
3 not for Dunmore. It's for everybody.

4 MS. CLARK: Yep.

5 MR. MCHALE: Obviously Throop is 60
6 percent of the landfill compared to us. They
7 want to have theirs -- one as well. We would
8 like to have ours first to get our questions
9 out fresh and get responses. So the meeting is
10 definitely going to happen it's -- unless
11 something's pulled under all of our -- we want
12 it.

13 But we want the engineers' report.
14 We want DEP, all of them in the same room, ask
15 all of them questions, probably same questions
16 you're going to ask.

17 MS. CLARK: Okay. And last question
18 I promise.

19 MR. MCHALE: We have the same
20 concerns. But you probably have a few more
21 questions.

22 MS. CLARK: No, last question, I
23 promise. Has Council reached out to the
24 politicians to see if they could give us any
25 sort of support or any clout with DEP?

1 MR. MCHALE: I have spoken with --
2 through Vito with Blake's Office. And I've
3 spoken to Kevin Haggerty several times.

4 MS. CLARK: Any updates or are
5 they --

6 MR. MCHALE: I try to keep them
7 updated on what we're doing because I think a
8 lot of stuff that came out of last meeting --
9 again, I took a lot of fault for that. And
10 believe me, I lost a lot of night's sleep over
11 it.

12 But it's -- I'm just trying to keep
13 everybody up to date what our intent is.
14 Again, I may have not delivered on that intent
15 in that last agreement. I will so next time.
16 You'll understand my intent. And that's -- but
17 I am trying to keep them up to date of where we
18 stand so they understand our side as well. And
19 I think we're all on the same page. That's --

20 MS. CLARK: Right.

21 MR. MCHALE: That's the problem I
22 spoke to Pat about it a little bit. The intent
23 here on all of our part is the same goal. Yes,
24 we fell short of your expectations. And in
25 hindsight my expectations last meeting. It

1 won't happen again.

2 MS. CLARK: I want to thank you all
3 for your hard work. I know you work really
4 hard. I know you come out here all the time at
5 night and listen to people whine and complain.
6 So I want to thank you. You do a great job for
7 the Borough and our area so thank you.

8 MR. MCHALE: Thank you.

9 MR. NARDOZZI: Thank you.

10 MR. HALLINAN: Thank you.

11 MR. DEMPSEY: Thank you.

12 MS. SCRIMALLI: Thank you.

13 MR. BURKE: Thank you.

14 MS. CLARK: I wasn't yelling. I
15 wasn't yelling.

16 MR. BURKE: I think too that like
17 Pat doing the research that he did, it kind of
18 led us in a way. Well, we have Vito and Mike
19 here to find out very important information
20 that Pat knows about. And I think Pat by
21 coming too and asking through the right to know
22 about the zoning laws is energized -- Mike and
23 Vito were our lawyers looking for information
24 and found out important information.

25 And then all of a sudden,

1 Mr. DeNaples wants to negotiate again. And
2 they find out the important information that
3 Mike and Vito researched. So if you could do
4 any research because it did help us. Believe
5 me, it helped us big time. And thank you, Mike
6 and Vito, for doing that for us because I know
7 you're not lawyers but you did a hell of a job
8 researching that.

9 MR. MCHALE: Anybody else?

10 MR. BOYANOWSKI: Jeff Boyanowski,
11 Jefferson -- Madison Avenue. Two simple
12 questions for Council. Number one, can we make
13 a request that the new attorney Bill Jones is
14 present moving forward at all Council meetings?
15 I assume he had a conflict tonight.

16 MR. MCHALE: He had a Dickson City
17 meeting. He had a conflict tonight, yes.

18 MR. BOYANOWSKI: I just wanted to
19 make sure.

20 MR. MCHALE: We're going to do our
21 best.

22 MR. BOYANOWSKI: Secondly,
23 Mr. Nardozzi, you said on the forum, can we
24 post the agenda a day or two ahead of time?

25 MR. NARDOZZI: Absolutely -- oh, our

1 agenda?

2 MR. BOYANOWSKI: The agenda for
3 this meeting.

4 MR. NARDOZZI: Sometimes we don't
5 get it.

6 MR. BOYANOWSKI: Who creates that or
7 is there any way at least a day in advance?

8 MR. MCHALE: Vito creates it. It's
9 really up to Council to do so. And sometimes
10 at the last minute something -- Hal wanted to
11 try to get something on at 4:00 today.
12 Sometimes that happens. But, yes, we'll post
13 it, maybe subject to one or two changes. We'll
14 do that.

15 MR. BOYANOWSKI: I think what
16 everyone in this room is probably -- the reason
17 everyone is here tonight is they assumed that
18 there was going to be an agenda item and
19 obviously open forum that you could ask
20 questions.

21 But at a minimum, if there's going
22 to be something, I think advanced notice as a
23 few mentioned already would be appreciative and
24 that Facebook thing is obviously a way to stir
25 it up.

1 MR. MCHALE: You're right.

2 MR. BOYANOWSKI: Thank you.

3 MR. MCHALE: Thank you.

4 MR. HALLINAN: Thank you.

5 MS. SPANISH: Katharn Spanish. Just
6 one last question, when I came up at the last
7 meeting it was stated that there would
8 absolutely be no further negotiations.

9 And for the record, that's changed,
10 right? He is willing to renegotiate the
11 contract?

12 MR. VERRASTRO: Absolutely. I was
13 wrong.

14 MS. SPANISH: You're wrong.

15 MR. VERRASTRO: Well, I wasn't
16 wrong. We were lucky.

17 MS. SPANISH: We were lucky.

18 MR. MCHALE: Do you want me to -- go
19 ahead.

20 MR. VERRASTRO: Go ahead.

21 MS. SPANISH: Is there any details
22 around that you can share?

23 MR. VERRASTRO: I was the one who
24 made a statement and I could only -- I repeated
25 what he said. We're lucky it didn't go that

1 way.

2 MR. MCHALE: And I could tell you
3 since that time, I think he saw all of your
4 comments and said, you know, his intents --
5 their intents because we did meet with a few --
6 was not as bad as it came out to be. And
7 again, put the blame on me. I should know
8 better.

9 MS. SPANISH: And he's willing to
10 have an external attorney be part of the
11 process?

12 MR. MCHALE: That's ongoing.

13 MS. SPANISH: Okay.

14 MR. MCHALE: Honestly, I don't know.
15 I mean, we may not have a deal period. So
16 we're trying. That's all I could say.

17 MS. SPANISH: So he has recognized
18 that he's -- he could come to the table but he
19 still might say no depending on what we --

20 MR. MCHALE: We have a letter from
21 DEP -- an e-mail from DEP saying he doesn't
22 have to do anything.

23 MS. SPANISH: Right.

24 MR. MCHALE: Period. So, you know,
25 yes, do we have some things especially what Pat

1 brought up and stuff that we have, we're
2 trying. We're trying. That's all I can -- I'm
3 not trying to be evasive and not tell you. I'm
4 telling you the truth. There's nothing right
5 now.

6 But we're working on trying to get
7 something as you -- as Miss Naro said too, it's
8 difficult to sit here against a landfill but
9 what the reality is, there's a better than
10 average chance that it may get passed.

11 So, yes, we struggle with that
12 against our personal beliefs. I grew up here.
13 I have three young kids. I'm going to stay
14 here probably for a long time hopefully if I
15 get past these meetings.

16 But it's just a matter of, you know,
17 balancing that act. And again, if something
18 comes in front of this Council, I will not vote
19 on anything that does not implicitly or
20 explicitly say anything about Phase III.
21 That's all I could say to you.

22 MS. SPANISH: Will the agreement be
23 presented at a Council meeting prior to
24 negotiations happening with the landfill so we
25 sort of understand what exists -- what you guys

1 are presenting as your offer to the landfill
2 prior to that negotiation happening?

3 MR. MCHALE: I think it's an ongoing
4 thing because if we agree to something they
5 could throw it out and vice versa. I like
6 Attorney Perry's idea, yeah, maybe we do a
7 public session a couple days before -- in
8 advance to let you guys vet it.

9 We can put it on your forum, put it
10 on Paul's forum. There's nothing we're trying
11 to hide. And that's probably again where we
12 failed.

13 MS. SPANISH: Okay. And lastly, to
14 echo Michele and Kathryn's points, it would be
15 incredibly beneficial for everyone here who is
16 actively interested in getting involved to go
17 to Friends of Lackawanna dot org, the Facebook
18 page, make a donation.

19 It could be anonymous if anyone is
20 afraid to let someone know that you've donated.
21 And I also urge the Council to get involved in
22 that too. I think it's beneficial for us with
23 the DEP process to have a united front so if
24 we're all together in reviewing perhaps working
25 with Martin and Martin and our attorney

1 collectively, we could really get to the
2 bottom of some of these issues and hold the DEP
3 accountable for not having any of the
4 violations that have occurred at the landfill
5 over the past few years and have them
6 publically stated someplace.

7 I just think the more united we are
8 collectively with Dunmore and Throop and the
9 residents of both municipalities, I think the
10 stronger our case is for the expansion.

11 Thanks.

12 MR. MCHALE: Thank you.

13 MR. HALLINAN: Thank you.

14 MR. KELLY: Tom Kelly, Swinick Drive
15 in Dunmore. I just had one question just doing
16 some basic preliminary research regarding the
17 initial contract that we're operating under
18 right now with the landfill.

19 And I'm actually just looking for
20 clarification from Council or anybody here that
21 would know. My understanding is that it would
22 appear that at a maximum, a contract could be
23 signed for 10 years by a government agency in
24 the State of Pennsylvania.

25 I'm confused as how we're still --

1 and again, maybe this is -- I'm just not aware
2 of all the facts. But I'm confused at how
3 we're still operating under -- what causes us
4 to not to void the agreement and say we're 15
5 years, we're 5 years past my understanding of
6 the longest length of a contract that was even
7 legally allowed to be agreed to at that time.
8 Is anybody aware of this issue or can anyone
9 clarify that for me?

10 MR. MCHALE: Tom?

11 ATTY. CUMMINGS: I'll research and
12 respond in writing with the particulars.

13 MR. MCHALE: Obviously I don't know.
14 I don't know. This is a 1999 agreement that's
15 handcuffing us period, handcuffing us.

16 MR. KELLY: Exactly. And that's --

17 MR. MCHALE: The negotiations that
18 you want us to negotiate, this is handcuffing
19 us. So --

20 MR. KELLY: If the contract --

21 MR. MCHALE: If it is null and --

22 MR. KELLY: -- cannot legally be --
23 the contract should be voided after year 10 is
24 my understanding per Pennsylvania State Law.
25 Again, I don't know, you know, this is the

1 State of Pennsylvania, you know, I'm not sure
2 exactly all the particulars that would govern
3 local government and how this would all work.
4 But that's why I'm actually just looking for
5 clarification if somebody would understand
6 that.

7 But for my basic research and
8 understanding, I don't understand -- in other
9 words, how could you sign a contract through
10 2065 this Council? How can that even be?

11 MR. MCHALE: We signed -- I'm not
12 arguing with you, don't get me wrong. But we
13 also signed debt for 30 years too. I want to
14 get your answer to you. Mr. Cummings will do
15 so in writing.

16 MR. KELLY: Okay. Yeah, and again
17 I'm just really looking for clarification. I'm
18 not sure there's a lot of intricacies with, you
19 know, contract law between states and local
20 governments and things like that.

21 MR. MCHALE: I agree.

22 MR. KELLY: I don't claim to be an
23 expert at all. But I was just curious. I just
24 came across that. And it was just -- it just
25 kind of had me shaking my head a little bit.

1 MR. MCHALE: No, I appreciate you
2 bringing it up.

3 MR. KELLY: Okay. And just one
4 clarification regarding the letters that were
5 sent to DEP or regarding the first letter and
6 the second letter. There seemed to be some
7 confusion on the Council, like, the contents of
8 the letters. When Council writes a letter, who
9 writes it? Who signs it?

10 MR. MCHALE: The President has to
11 sign on behalf of Council even if I agree with
12 it or not. We spoke about this. Forgive me,
13 my memory these days I'm in the middle of a tax
14 deadline. My memory -- I think all seven of us
15 were there and decided to send this letter.

16 Whether I wrote it -- Vito is very
17 good at writing letters; he wrote it. I signed
18 it as President. Okay. The second --

19 MR. BURKE: Mike, I did specifically
20 say to Tommy that he doesn't have my
21 blessings --

22 MR. KELLY: Well, that's my --

23 MR. BURKE: -- and Tommy
24 specifically said I'll make sure he gets your
25 message. I'm positive of that.

1 MR. MCHALE: I'm not arguing that,
2 Tim. I just -- we spoke --

3 MR. KELLY: That's why I'm just
4 curious if one Council -- like, what's the
5 process when you write a letter if say five of
6 you agree with it and three don't, does it go
7 in the Council agrees with it? Would that be
8 the language of the letter?

9 Or in other words, we have one
10 Councilman who stated publicly he opposed it.
11 Yet, a letter went saying we agree with it. So
12 I'm confused as to how that happened.

13 MR. MCHALE: And a second letter
14 went to --

15 MR. KELLY: The first letter.

16 MR. MCHALE: -- fix our mistake --
17 just to finish my sentence. Regarding the
18 first letter, yes, if -- I said seven of us
19 were there. I didn't say seven of us were in
20 favor. My memory says that we all agreed to do
21 so. So we sent it.

22 MR. KELLY: Okay. So the letter
23 would be signed by you then.

24 MR. MCHALE: It has to be, yeah.

25 MR. KELLY: Okay. All right. Thank

1 you.

2 MR. MCHALE: Thank you.

3 MR. KELLY: Thank you all for your
4 time.

5 MS. BRIER: Hi, I'm Janet Brier from
6 Monroe Avenue. I just have a couple quick
7 questions. So you're saying the second letter
8 then as well -- sir, you signed the second
9 letter as well?

10 MR. MCHALE: As President I do.
11 Whoever is President has to send the letter on
12 behalf of Council.

13 MS. BRIER: Do you know who wrote
14 it?

15 MR. MCHALE: Actually we -- on
16 second letter Throop had sent a letter. Tim
17 brought it to our attention. And we more or
18 less copied Throop's letter to -- because we
19 were all in agreement it was a letter -- I
20 believe it was written by Throop's attorney,
21 Attorney Cimini. Right, Tim?

22 MR. BURKE: Right.

23 MR. VERRASTRO: It was requesting
24 that we wanted a hearing to show -- because we
25 sent I think two or three of them.

1 MS. BRIER: Is there a point person
2 on Council who is dealing with DEP?

3 MR. MCHALE: Our Borough Manager.

4 MS. BRIER: Oh, but not anyone on
5 Council.

6 MR. MCHALE: He talks to -- I talk
7 to him 10 times a day. But he talks to all of
8 us.

9 MS. BRIER: I was just wondering how
10 again someone brought up the process. It seems
11 to be a little vague.

12 MR. MCHALE: It is to us too because
13 we, you know, we've never been through this
14 either so --

15 MS. BRIER: Sure.

16 MR. MCHALE: And obviously all of
17 this happened at the DEP level. We're trying
18 to stay informed as well.

19 MS. BRIER: Right. And, you know,
20 in terms of the history with the DEP and the
21 Borough, you know, in the mid70s they came in
22 and said we needed a -- we're throwing our
23 garbage in a hole and we needed a liner and, of
24 course, we couldn't afford it then just as we
25 can't afford not to do this now apparently.

1 So we sold it for a dollar to the
2 person who still owns it. And then in the
3 mid80s they needed someplace to run a leachate.
4 So they went to the Scranton Sewer Authority at
5 the time. And four of the five members
6 approved of that. The only person who didn't
7 approve of that was the Borough representative
8 Harry -- the late Harry O'Neill at the time.

9 Subsequent to that, we had the
10 cogeneration fight -- the incinerator fight.
11 The Lackawanna County was going to flow a bond
12 for a failed technology that everyone -- every
13 citizen in Lackawanna County would have been on
14 the hook for -- every taxpayer.

15 At that time, you know, we fought
16 that. And the thing -- the reason we fought
17 was that you can't fight this. So I just want
18 to say thank you to this Council because they
19 are not as contentious as past Councils.

20 And to the people -- the young
21 people that came here today because I'm
22 representing the grandmothers, it's a long
23 struggle. And it's all about money as we all
24 know.

25 And we all love Dunmore, fourth

1 generation. My grandchildren are at Dunmore --
2 Dunmore Elementary. But it won't be a good
3 place to live if this continues. I mean,
4 it's -- Melanie said, you know, they're
5 building these skyscraper landfills.

6 They are not building them on
7 environmentally degraded land. I mean, there
8 isn't -- there isn't a spot in this valley
9 under 1200 feet that isn't undermined.

10 So, you know, when you build on
11 stable subsurface, it's very different from
12 throwing garbage basically into a thin layer of
13 earth that has -- that's undermined. So I just
14 want to say there's a lot more considerations
15 here, especially our history -- our history of
16 environmental degradation and our history of,
17 you know, loving this town and how that
18 conflicts from time to time. So I just want to
19 say thanks again for all of you folks. Thank
20 you.

21 MR. MCHALE: Thank you.

22 MR. NARDOZZI: Thank you.

23 MR. DEMPSEY: Thank you.

24 MR. HALLINAN: Thank you.

25 MR. PASQUALICCHIO: Mike

1 Pasqualicchio, Dunmore. I just have a quick
2 question. Can we send a third letter just to
3 clarify? I'm not making a joke. I'm really
4 not making a joke. I'm not really making a
5 joke.

6 Seriously, can we send a third
7 letter to DEP clarifying that you guys are
8 against this expansion just plain and simple?
9 Copy the second letter maybe make it public,
10 put it in the Times. I don't know. That's all
11 we want. Thank you.

12 MR. NARDOZZI: Thank you.

13 MS. SPANISH: Katharn Spanish. May
14 the public receive a copy of the first and the
15 second letter so that we can be very clear just
16 about what was in each respective letter?

17 MR. MCHALE: Yes.

18 MS. SPANISH: Perfect. Thank you.

19 MR. MCHALE: Anybody else?

20 (No response.)

21 MR. MCHALE: Mr. Cummings?

22 ATTY. CUMMINGS: Public officials.

23 MR. MCHALE: Hold on one second.

24 Everybody make sure because last time I did
25 close it early. Everybody's good? I felt

1 horrible last time that I did that to --
2 please come on up.

3 Like I said, Gary Duncan, I
4 apologize yet again. I still feel terrible
5 about that.

6 MR. MURRAY: Leo Murray, 711 Fifth
7 Street. I only have one question. The second
8 letter that you're talking about that went to
9 the DEP, when was that done and who was in
10 attendance?

11 MR. MCHALE: When was that done --
12 what do you mean --

13 MR. MURRAY: When was the letter put
14 together and signed off on by Council?

15 MR. MCHALE: I don't have an exact
16 date. Honestly, I can't -- months ago.

17 MR. MURRAY: Was it before or after
18 the last meeting?

19 MR. MCHALE: Well before.

20 MR. MURRAY: It was well before?

21 MR. MCHALE: Yeah.

22 MR. MURRAY: But it wasn't during a
23 Council session?

24 MR. MCHALE: I don't recall. Tom?

25 ATTY. CUMMINGS: I don't remember.

1 I remember it was discussed by Council. And it
2 was the exact same letter that Throop had sent.
3 It may have been under direction to inform DEP
4 that we also wanted the hearing and a meeting
5 and the ability to review it by engineering and
6 legal standards.

7 MR. BURKE: I believe this is it. I
8 don't know if, Tom, if it -- or Vito, do you
9 know if this is the letter that was sent? I
10 believe this was the letter that was sent.
11 It was just a carbon copy of Louie Cimini's
12 letter from Throop.

13 MR. RUGGIERO: Something very
14 similar to this is what we sent. It had the
15 same language as Attorney Cimini's.

16 MR. BURKE: I don't know if you want
17 me to pass it around or just make copies and
18 bring it at the next meeting or --

19 MR. VERRASTRO: Well, that's not the
20 letter. That's the letter Throop sent.

21 MR. BURKE: Right. We just
22 copied -- we copied exactly Throop -- the
23 second letter.

24 UNIDENTIFIED WOMAN: Can you read
25 it? Can you read it out loud? Just read it

1 out loud.

2 MR. BURKE: As you're aware, Throop
3 Borough --

4 MR. VERRASTRO: One second, before
5 you start to read it, Tom, being that we didn't
6 send that letter specifically, that was sent by
7 Throop. Is that something that -- I just want
8 to make sure.

9 ATTY. CUMMINGS: He could read
10 whatever he wants as long as he attributes it
11 to Throop.

12 MR. VERRASTRO: I don't know.

13 ATTY. CUMMINGS: I think that --

14 MR. VERRASTRO: Do you know what I'm
15 saying? He might have gotten this as an
16 example from this gentleman to help us --

17 MR. BURKE: Well, no -- yes, this
18 is --

19 MR. VERRASTRO: I just don't want to
20 get you or him in trouble, Timmy. I'm not
21 trying to hide anything.

22 MR. BURKE: No, you're not going to
23 get me in trouble because I'm just going to say
24 this is the letter from Throop that we carbon
25 copied. That's all. This isn't our letter.

1 This is the letter we carbon copied from
2 Throop. I mean, this is their letter and we
3 carbon copied it.

4 As you're aware, Throop Borough
5 President Thomas Lukasewicz made several
6 requests in the May 20th, 2014, meeting. The
7 purpose of these correspondence is to request a
8 reply to the following request: Extension of
9 time beyond 60 days to review and respond to
10 the Phase III application.

11 Two, schedule a public meeting;
12 three, schedule a public hearing. In addition,
13 what is the availability of grant money funds
14 to hire third party to review the application
15 on behalf of -- this is Throop -- of Throop
16 Borough.

17 We copied this almost to a "T", I
18 believe, Vito. I don't have the original
19 letter that we sent. But this was the reason
20 for our letter going to DEP. And that was
21 voted on I believe in Council.

22 MR. NARDOZZI: Timmy, what's the
23 date of that letter?

24 MR. BURKE: This is May 29, 2014.

25 MR. NARDOZZI: Yeah, May. So May.

1 MR. MCHALE: So May, early June.
2 Pat, please be quick.

3 MR. CLARK: Pat Clark, one more
4 time, just one quick because this is going to
5 keep going on here. First letter went out --
6 the first letter for clarification I believe
7 was sent to the landfill, not DEP saying we do
8 not intend to challenge your application for
9 expansion.

10 The second letter copied Throop went
11 to DEP. I think what the people in this room
12 are saying, can you please write a letter to --
13 formally to either DEP and/or the landfill
14 saying, wait, we are not okay without
15 challenging. We are going to look into this
16 and we may challenge it. I think it's as
17 simple as that. Thank you.

18 MR. HALLINAN: Thank you.

19 MR. BURKE: Well, I'll make a motion
20 that we do that.

21 MR. HALLINAN: I'll second that.
22 Get it over --

23 MR. MCHALE: I have a motion and a
24 second. On the question. All those in
25 favor --

1 MR. VERRASTRO: I'd like to know the
2 language of something before I -- I don't mind
3 making a motion to draw something up. But I
4 want to read the language before I vote to send
5 a letter somewhere. I would like to read it.

6 MR. HALLINAN: We got to vote here.

7 MR. MCHALE: It's on the question.

8 But I appreciate --

9 MR. VERRASTRO: I'm on the question
10 and please don't speak out of turn. This has
11 been a good meeting so far. I don't want it to
12 turn into a circus because I'm concerned about
13 something. That's the way it is. If you don't
14 like it, I don't know what to tell you.

15 MR. MCHALE: Anybody else on --
16 we're still on the question. You got to hold
17 on. Anybody else on the question?

18 (No response.)

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

21 MR. HALLINAN: Aye.

22 MR. NARDOZZI: Aye.

23 MR. VERRASTRO: But what are we
24 voting to, Michael?

25 MR. MCHALE: He has a motion on the

1 floor. I got to go with it.

2 MR. VERRASTRO: Mike, I got to ask
3 you -- Tim, I'm going to ask you to change your
4 motion to have a letter drawn up for us to
5 approve to the same level. Otherwise, you're
6 telling him to send a letter. You don't know
7 what Mike -- anybody could write the letter.
8 You don't even know what it's going to say.

9 MR. BURKE: That we're against the
10 landfill Phase III. And if anybody else wants
11 to add anything onto it --

12 MR. MCHALE: Timmy, can I --

13 MR. BURKE: Well, maybe I should put
14 the way Pat put it -- excuse me -- that we
15 don't approve. I mean, we're not -- we don't
16 approve of extension of the landfill, simple as
17 that.

18 MR. VERRASTRO: I think that we
19 should say we're interested in challenging the
20 landfill, not that we don't approve of it.

21 MR. BURKE: Well, maybe our
22 Solicitor, maybe, Tom, you could help us out on
23 that.

24 ATTY. CUMMINGS: You already pulled
25 me from it.

1 MR. BURKE: Well, you've been
2 answering questions all night.

3 MR. VERRASTRO: You know what I'm
4 saying, Tim, I don't think we should put
5 something down that we can't --

6 MR. BURKE: No, I understand, Sal.
7 That's why I'm looking for help from a
8 solicitor.

9 MR. VERRASTRO: That's why I'm
10 saying if we're going to send a letter out, it
11 should be that we are interested in challenging
12 the petition, not that we're against it because
13 how do you negotiate for more money when you're
14 saying we don't want it?

15 I mean, I could only speak so much
16 and not make myself look like a fool. But you
17 let the cat out of the bag and you lose, you
18 know --

19 MR. BURKE: You're right. And right
20 now I'm looking from a solicitor which he has
21 recused himself so --

22 MR. NARDOZZI: Guys, we have a
23 meeting going on here. Can you please? Thank
24 you.

25 MR. HALLINAN: On the question,

1 could you just vote then? Mr. Burke, you made
2 a motion. I seconded it that your question
3 would be that we are not in favor of Phase III.
4 Would that be simple enough Council as a whole
5 or whoever how they vote?

6 MR. VERRASTRO: I think that that's
7 nuts to do.

8 MR. HALLINAN: Well, we can vote for
9 it or against it and then you can bring up
10 another --

11 MR. MCHALE: You already have --
12 Hal, we have a motion on the floor. Tim, you
13 got to clarify your motion and we'll put it to
14 a vote.

15 MR. BURKE: Okay, then my motion is
16 for Phase III like Hal said. But we're going
17 to have to come back to this anyway until we do
18 have a lawyer, Bill Jones.

19 MR. VERRASTRO: What if our lawyer
20 tells us you shouldn't have sent that?

21 MR. BURKE: Well, then we don't do
22 it.

23 MR. VERRASTRO: Well, we're voting
24 to do it. That's what I'm trying to get across
25 here.

1 MR. BURKE: Okay, then I --

2 MR. VERRASTRO: I mean, we're trying
3 to set up a meeting with an attorney next week
4 and we're going to go --

5 MR. BURKE: Okay. We're going to
6 have to vote -- if we table it then I'll have
7 to take it off and table it because we don't
8 have a lawyer present to handle it right now.

9 MR. MCHALE: Hal, do you do the same
10 with your second --

11 ATTY. CUMMINGS: You have a motion
12 and a second. Then you have to have a motion
13 and a second to table otherwise it hangs in
14 limbo.

15 MR. MCHALE: Can I have a motion to
16 table?

17 MR. VERRASTRO: I'll make the motion
18 to table.

19 MR. BURKE: Second.

20 MR. MCHALE: I have a motion and a
21 second to table. All in favor signify by
22 saying aye.

23 ALL MEMBERS: Aye.

24 MR. MCHALE: Opposed?

25 (No response.)

1 MR. VERRASTRO: Thank you,
2 everybody.

3 MR. O'MALLEY: Just a couple
4 questions.

5 MR. MCHALE: Your name for the
6 record?

7 MR. O'MALLEY: Now, nobody
8 remembered when this letter was sent --

9 MR. MCHALE: Your name?

10 MR. O'MALLEY: William O'Malley,
11 Mill Street, Dunmore, across from where all the
12 cars are. Okay, nobody remembers when the
13 letter was sent? You don't have a copy of it
14 here?

15 MR. MCHALE: Not with me. I have it
16 in my files at home.

17 MR. O'MALLEY: And do you think
18 before the next meeting you can hand it out --
19 the two letters?

20 MR. MCHALE: You know what, I'll do
21 one better. It will be available tomorrow --

22 MR. O'MALLEY: All right.

23 MR. MCHALE: -- at the Borough
24 Building.

25 MR. O'MALLEY: And you'll send the

1 two? You'll have the two letters?

2 MR. MCHALE: Send it to -- Mr.

3 Ruggiero will make them --

4 MR. O'MALLEY: The one you sent to
5 Keystone and the one you sent to DEP.

6 MR. MCHALE: You're not letting me
7 finish. Mr. Ruggiero will make them available
8 tomorrow.

9 MR. O'MALLEY: Okay. Pick them up
10 at the Borough Building?

11 MR. MCHALE: Sure.

12 MR. O'MALLEY: Okay, thank you.

13 MR. MCHALE: Sure.

14 MR. HALLINAN: Thank you, Mr.
15 O'Malley.

16 MS. OVEN: Kathryn Oven, Madison
17 Avenue. Just to answer my sister's question,
18 there is on Friends of Lackawanna on the
19 Facebook page, there is information Blake's
20 Office and DEP information.

21 If anybody wants to call them or
22 send a letter, I've called the DEP several
23 times. They said public sentiment does matter
24 to a degree. So I think as many people as we
25 get to call the office as well as send letters

1 it would be helpful.

2 And also Senator Blake has agreed to
3 meet with Friends of Lackawanna. So if anybody
4 else is interested in going to this meeting,
5 they should call his office -- the Scranton
6 office or the office up the line and just tell
7 them that you would like to be involved in
8 that.

9 So we did reach out to him. He's
10 agreed to meet with us. I think the more
11 people we get to contact the DEP either writing
12 or calling would be helpful. Thank you.

13 UNIDENTIFIED WOMAN: Is there a
14 date? When is the --

15 MS. OVEN: They haven't given us a
16 date yet. They are trying to -- they actually
17 just sent me an e-mail today and said they are
18 trying to get some dates from Senator Blake and
19 then they will e-mail all the people that
20 called. They've taken names and e-mail
21 addresses.

22 So if anybody is interested, I would
23 encourage you to call the office and just give
24 your name and your e-mail and then you would be
25 on that thread as far as when Senator Blake can

1 meet with us.

2 MR. GROCHOWSKI: Hi, my name is Joe
3 Grochowski. I was born and raised in Dunmore,
4 Pennsylvania, 1302 Electric Street. Just came
5 back a year ago. I now live at 1711 Adams in
6 Dunmore. Actually this is the first Dunmore
7 Council meeting I've ever been to. I never
8 really left Dunmore, but it's good to be back.

9 MR. VERRASTRO: I'm sorry.

10 MR. GROCHOWSKI: And I -- but just
11 as an observer I've, you know, I've been around
12 the world. I've, you know, seen a lot of
13 things. It's great to hear what the community
14 is doing and how you're working hard. And I
15 could understand how hard it is.

16 I don't really know all the facts.
17 I hear -- newspaper facts what's going on with
18 what. But just sitting in tonight I started
19 out -- seemed like it was getting some clarity
20 on things and then it starts -- it seems a
21 little confusing.

22 So for -- just for general education
23 if we can, you know, clarify letters who sent
24 what. I'm getting a little bit more confused
25 as we go here. But I appreciate all of your

1 efforts. Good luck to you. And I look forward
2 to getting more educate -- I don't know about
3 the issue right now to give you a comment.

4 I know we should get more money.
5 I'm sure there's environmental things. But I
6 just want some facts, basic facts. I don't see
7 them on the website. I lived in communities
8 where they send out their budget.

9 Here's -- there's our borough.
10 Here's how much we spent for the school, to the
11 fire department, this, that. I look at the
12 website and I see zoning ordinance that says
13 see amendments. I just want some facts. I
14 mean, just get them out there.

15 I mean, you have local citizens
16 doing it on their own. And again, it's just
17 more so we can be educated. That's it.

18 MR. VERRASTRO: Right when you walk
19 in the door there's a whole budget for you the
20 first of every month -- the first meeting of
21 every month.

22 MR. GROCHOWSKI: The first council
23 meeting. I don't know these things. And I
24 appreciate it --

25 MR. VERRASTRO: And they are at the

1 Borough Building.

2 MR. GROCHOWSKI: -- and allowing me
3 to speak. But anyways, thank you for your
4 time.

5 MR. MCHALE: Thank you, Mr.
6 Grochowski.

7 MS. NARO: Melanie Naro. I don't
8 know if this issue is moot because of what
9 Patrick said. But because this letter that was
10 okay to be sent with Timmy saying don't include
11 me, make sure that they know I don't agree with
12 this that you -- because you didn't do that in
13 a public meeting, I was going to suggest to you
14 that tonight before the meeting closes that you
15 affirm your position with the second letter
16 being sent.

17 But it seems kind of moot because it
18 looks like you're going to send a third letter
19 now. But I suggest that any motion that you
20 make, you know, you have your lawyer draw it up
21 who would be Mr. Jones that that would be an
22 appropriate motion to make perhaps tonight
23 that you ask him to draft it since Mr. Cummings
24 recused himself.

25 And the other thing, there was a

1 question about someone who lived in the Swinick
2 Development about the contract being over ten
3 years old. It seems to be moot because we get
4 only 41 cents which is the minimum. So whether
5 it's a hundred years old, it's 10 years old,
6 it's 20 years old, it doesn't matter. We're
7 only getting 41 so it doesn't matter.

8 MR. MCHALE: Thank you.

9 MR. HALLINAN: Thanks.

10 UNIDENTIFIED MAN: I just want to
11 clarify one thing. Do we have to agree to it?

12 MR. MCHALE: Your name one more
13 time.

14 MR. KELLY: Tom Kelly, Dunmore,
15 Swinick Drive. Do we have to -- let's say we
16 didn't agree to the 41 cents, what happens?

17 MR. MCHALE: We get the 41 cents
18 state mandated.

19 MR. KELLY: Okay. But we have this
20 agreement in place. So the agreement -- what's
21 the point of the agreement, I guess?

22 MR. MCHALE: The agreement is --
23 first of all, we have a handshake agreement on
24 getting free garbage so that's about 6,
25 \$700,000 a year. We get about \$800,000 out of

1 the landfill right now.

2 We have past payables -- he hasn't
3 sent us a bill. So, yes, there's an argument
4 whether he could enforce them or not. Our
5 attorney who is working with us now said four
6 or five years he could probably go after. And
7 going forward and someone brought it up tonight
8 if the landfill is sold, what do we do?

9 That's kind of where the problem
10 comes in. But to answer your question
11 directly, yeah, we get the 41 cents no matter
12 what.

13 MR. KELLY: Okay. So if we -- even
14 if we didn't agree to anything with him
15 with -- we can't stop the garbage from him
16 having a landfill there, correct? That's what
17 I wasn't understanding. I thought we had to
18 agree to that in some capacity.

19 MR. MCHALE: We don't have a vote
20 with DEP. If we did, I think you heard
21 seven-nothing we would vote no.

22 MR. KELLY: I mean, that's the
23 expansion. I mean the existing --

24 MR. MCHALE: It's in existence now.
25 He has a contract that again is strangling us.

1 MR. KELLY: That's what -- we have a
2 contract but if it's not legal then what
3 happens if we void it?

4 MR. MCHALE: You're saying the ten
5 year thing?

6 MR. KELLY: Yeah.

7 MR. MCHALE: Mr. Cummings is going
8 to look into that.

9 MR. KELLY: Okay. All right. Thank
10 you.

11 MR. MCHALE: Thank you.

12 MR. MCGRATH: Jack McGrath, I live
13 on Monroe Avenue.

14 MR. MCHALE: Or if not -- I heard
15 the comments. If not him, our -- Bill Jones
16 will. So I apologize for the comments.

17 MR. MCGRATH: I'm confused about
18 this garbage thing. We had a deal with
19 Mr. DeNaples in 1971 that he would never charge
20 us for garbage.

21 MR. MCHALE: That's not in writing.

22 MR. MCGRATH: But you said you have
23 a handshake.

24 MR. MCHALE: I didn't have a
25 handshake. I was two years old in 1971.

1 MR. MCGRATH: Well, you should
2 research a little. It's your job now. Also
3 Mr. DeNaples has a sewer on Mill Street where
4 he dumps cars, thousands and thousands of them.
5 And we have it in writing that he's not
6 supposed to put cars there.

7 So we have a little kickback, you
8 know, you could say to Mr. DeNaples, Mr.
9 DeNaples, do you want to move all the cars off
10 of Mill Street, you know? It's called
11 negotiations. You should give it a shot.

12 MR. MCHALE: Thank you.

13 MR. VERRASTRO: We've been trying to
14 do that.

15 MR. BURKE: Vito, could you look in
16 tomorrow into what violations that are being
17 broken on Mill Street and maybe have Bill Jones
18 help you out with that since he is the zoning?

19 MR. RUGGIERO: I'll have to talk to
20 Joe Lorince as well.

21 MR. BURKE: Thank you.

22 MS. TEEVAN: Joann Teevan, Dunmore,
23 T-E-E-V-A-N. I just have a quick question
24 about the letters. I know someone said they
25 would be made available at the Borough

1 Building. I think it's a little hard for
2 people to get to the Borough Building. So can
3 you put them on the website?

4 MR. MCHALE: I say we can try
5 because it's always a chore with our current
6 website. Vito, can you try to do that? We'll
7 do that.

8 MS. TEEVAN: You should get someone
9 new.

10 MR. MANCOS: John Mancos, Throop.
11 I'm a software developer by trade. So if you
12 need help with that website, let me know.

13 MR. O'MALLEY: William O'Malley,
14 Mill Street. You're going to have Mr. Ruggiero
15 look into what violations are on Mill Street?

16 MR. MCHALE: That's what we just
17 said.

18 MR. BURKE: I just asked him to,
19 Bill.

20 MR. O'MALLEY: Okay. When will that
21 report be available?

22 MR. NARDOZZI: We didn't even do it
23 yet.

24 MR. O'MALLEY: I'd like to get a
25 copy of it.

1 MR. MCHALE: We'll find out
2 tomorrow. He'll go look at it tomorrow.
3 That's all we could --

4 MR. O'MALLEY: Okay. You'll have a
5 report tomorrow?

6 MR. MCHALE: No.

7 MR. VERRASTRO: No.

8 MR. O'MALLEY: No idea then.

9 MR. MCHALE: He'll -- they have to
10 do it first. What am I --

11 MR. O'MALLEY: But it's going to be
12 done, right?

13 MR. MCHALE: You heard him ask.

14 MR. O'MALLEY: I heard a lot of
15 things. Thank you.

16 MR. MCHALE: Mr. Cummings.

17 ATTY. CUMMINGS: Public officials.

18 MR. MCHALE: Carol.

19 MS. SCRIMALLI: Well, I do want to
20 thank you so much for coming. Like I said, we
21 can't do a thing without the support of you.
22 We need to know how you feel. This thing
23 has -- this whole issue we didn't know where
24 you all stood. We wanted you to come back in
25 May and here it is October. But we're so glad

1 you're here.

2 It's just the more information that
3 we get I think the better decisions can be
4 made. So your questions are very important.
5 We appreciate them. And again, thank you for
6 coming. That's all I have tonight. Thank you.

7 MR. MCHALE: Mr. Burke.

8 MR. BURKE: I'd like to thank
9 everybody for coming out. And I like to see
10 the crowd growing and growing the way it is.
11 And I'd like to see a lot more people at the
12 next meeting. It shows your concern.

13 The research we found a lot of it
14 was part of -- because of the Clark's work at
15 the last meeting and all of you really speaking
16 up and Mike and Vito's hard work finding out
17 what we did find out.

18 But I'd like to see you all here and
19 bring more friends and let people know what's
20 going on in Dunmore. I mean, we are working
21 hard. And like this Council here, we disagree
22 on some things but you don't see us fighting up
23 here like past Councils fighting.

24 We're working together. We can
25 agree to disagree on things. And on another

1 note, I'm hoping that we have a good turn out
2 for the Octoberfest up St. Anthony's this
3 Saturday from 1 to 5. It's for a good cause.
4 And it's in Don Rinaldi's name who has put in a
5 lifetime of service at the playground.

6 They're going to build a -- restore
7 a new basketball court up there. It's \$20 per
8 person and children 10 and under are free; a
9 lot of great food. There will be gift baskets.
10 And there will be plenty of -- and there will
11 be entertainment by Dino Noto. Shawn Loughney
12 is going to be the DJ.

13 So it will be a really good time and
14 hoping people can turn out for the playground
15 in memory of Donald Rinaldi. That's it.
16 Thank you.

17 MR. MCHALE: Mr. Verrastro.

18 MR. VERRASTRO: Yes, a couple quick
19 things. First, we had talked in general about
20 changing the floor in this room a couple of
21 times. Maybe we can put something out -- maybe
22 we can call a couple people to get a couple of
23 quotes.

24 I don't think we should go with
25 carpet again my personal opinion -- even if we

1 did both. I'd like to see what we can do.

2 MR. RUGGIERO: Sal, I got the first
3 one --

4 MR. Verrastro: I knew we started
5 talking about it. I'd look at maybe getting it
6 done, like, right after Christmas or something.
7 This way we'll start the year out with
8 something new instead of a Christmas party
9 spilling it and starting the year out with what
10 we already have.

11 Next we have for the first time
12 we're trying something new. I don't know if
13 you heard about it or saw any advertising on
14 it. We have a promoter that rented our
15 gymnasium this Saturday. He's going to be
16 having some boxing matches that are usually at
17 the Hilton and usually at Fiorelli's or
18 wherever he rents -- Genetti's.

19 So if -- there's going to be a bunch
20 of different amateur bouts and some
21 professional bouts here. If you're interested,
22 it might work out. Maybe we'll entertain doing
23 it again, maybe we won't. Maybe he won't want
24 to do it again here. He might think we're too
25 expensive. I don't know.

1 But I wanted to let everybody know
2 in case you didn't happen to see any of the
3 advertisements out there that there is going to
4 be something down here.

5 Next I do appreciate everybody's
6 concerns. And I was thrilled with the way the
7 meeting started out. I know people -- after a
8 certain point people started coming back up
9 because I don't know if they wanted to get
10 clever, if they wanted to throw a shot.

11 We are trying to do our best up
12 here. We don't have a photographic -- I don't
13 have a memory that I can remember what
14 everything that happened here in the last year
15 or the order it happened in, I'm sorry. I
16 appreciate the research you're doing.

17 And I'm just throwing this off the
18 top of my head because, one, I said it and I
19 thought I said it right, maybe I didn't. I'm
20 not saying I'm for a landfill expansion. I'm
21 not saying I'm against one right now.

22 I'm worried about us financially.
23 And everybody seems to be doing a lot of
24 research on how not to have a landfill here.
25 So I'm going to put a little challenge out to

1 you because we always have the budget up here.
2 I would like you guys to take it and research
3 it and bring me a million and a half dollars
4 for 2015 because that's what we're going to
5 need if we don't have the landfill.

6 That's the first year. And it's a
7 scarey thought. So while we're doing all of
8 this -- and I agree with you. And trust me, I
9 go home and I don't want it, I want it. Help
10 me find the money to sell me not to have a
11 landfill.

12 They're up there. If you need more
13 Vito will make a thousand copies for you. Show
14 me a million and half dollars just for 2015
15 because that's what we're going to subtract.
16 So thank you for coming.

17 I'm not doing it to be cocky. I'm
18 not doing it to be nasty. Mr. Clark gave us a
19 lot of good --

20 UNIDENTIFIED WOMAN: All we're
21 asking -- all we're asking --

22 MR. MCHALE: Wait. Wait. Wait.
23 No, no, no, you can't -- you can't go back --

24 MR. VERRASTRO: I let everybody.
25 And I was very polite.

1 MS. MCDONALD: You're a little too
2 cocky.

3 MR. VERRASTRO: I'm not getting too
4 cocky.

5 MS. MCDONALD: Yes, you are.

6 MR. VERRASTRO: I think I'm being
7 very respectful. I want everybody to try to
8 show me a million and a half dollars for 2015
9 without laying off the Fire Department, our DPW
10 that we just worshiped up here.

11 We're going to have to cut police
12 officers eventually, not right away,
13 eventually. So I would like to see the plan
14 that we're going to use --

15 UNIDENTIFIED WOMAN: Take it over --

16 MR. MCHALE: Ma'am, please, please.

17 MR. VERRASTRO: I'm not making this
18 number up. If the landfill closes when it
19 shuts down -- and I'm sorry I'm using the term
20 2015. It would be whenever it shuts down and
21 we no longer get our big 41 cents. At that
22 point we will have to subtract 800 and some
23 thousand dollars from our budget.

24 We will no longer have free dumping.
25 So that's approximately \$2,000 a day for every

1 day that we dump there five days a week. And
2 we would lose the hundred thousand dollar
3 donation for here that's in the budget. And we
4 budget it every year to run this Community
5 Center.

6 So -- and that doesn't include where
7 we're going to pay to dump our garbage and
8 where we're going pay to transport it to dump
9 it. So -- I'm just -- let's think about our
10 numbers. If you could buy a new car and you
11 don't go buy a car and then see if you could
12 afford it. You see what kind of car you could
13 afford and then you go buy it. I'm just
14 putting a little challenge out there. Help me
15 with it. Thank you.

16 MR. MCHALE: Mr. Nardozzi.

17 MR. NARDOZZI: I'd just like to
18 thank everybody for coming tonight. Excuse me,
19 I'm talking. I'm sorry. Thank you. I would
20 like to thank everybody especially Pat Clark
21 and his wife did a lot of nice research and
22 Kathryn and Michele. We thank you guys very
23 much. It's a -- it's been an eye opener. I
24 just want to say thank you very much.

25 MR. MCHALE: That's it?

1 MR. NARDOZZI: That's it.

2 MR. MCHALE: Mr. Hallinan.

3 MR. HALLINAN: Wow, what was I
4 getting into. I'd like to let everybody know
5 Michael Lydon is out of surgery. He's still in
6 the hospital. And I wish everybody would just
7 keep Officer Lydon in your prayers, please.

8 The top of Drinker Street, where do
9 we stand with the light there? There was a
10 horrific accident there. Nobody got hurt but
11 it was a three car pileup and the light up
12 on -- I still think the light up there at the
13 get-off ramp on 81 North at Drinker would be an
14 asset to slowing people down.

15 And I just don't know -- I know the
16 State proposed it. Is there any other
17 communications on that, Vito, or what are we
18 doing there?

19 MR. RUGGIERO: It was up to Council.

20 MR. HALLINAN: Excuse me?

21 MR. RUGGIERO: It was up to
22 Council's decision.

23 MR. HALLINAN: I'd like to -- I'd
24 like us to look into see if we can -- what we
25 can do and work out and get a light in there

1 because I know the State wants to propose
2 something and they've been looking at it.

3 And it's -- it's not just one
4 accident that's happened up there. It's pretty
5 bad. And also best of luck to your Friends of
6 Lackawanna. What can I say? Everything was
7 said tonight. I'm not for the expansion. And
8 whatever we can do to earn money for those
9 years in between then that's what I'm for.

10 I'm sorry, but, you know, I'm trying
11 to help the Borough. But I don't want an
12 expansion either. So thank you very much. And
13 thank you for all of your input from everybody.
14 Thank you for coming.

15 MR. MCHALE: Attorney Dempsey.

16 MR. DEMPSEY: I also want to echo
17 what Hal said and please keep Officer Michael
18 Lydon in your prayers. He's going through a
19 tough time and his wife as well.

20 Also this is a great time to plug
21 this even because it's a great event. And
22 there's a lot of people here if we get half as
23 many -- well, I'd like to get more than this
24 many people at the game. But there is a
25 Pink-Purple. It's a girl's volleyball game

1 Dunmore versus North Pocono, Wednesday, October
2 22nd at Dunmore High School. JVs start at
3 5:30. Varsity start at 7:05. Admission is \$2
4 suggested donation.

5 There's going to be raffle baskets,
6 T-shirt sales, refreshments, and some sort of
7 T-shirt contest. And the proceeds go to
8 benefit Kelcey Hallinan Memorial Scholarship
9 Fund and Susan G. Komen Foundation of NEPA. So
10 please come out and support that on Wednesday,
11 October 22nd.

12 With regard to the landfill, we're
13 doing the best we can up here. It's very hard.
14 I think, Pat, you nailed it. It's an
15 impossible decision. I think I've talked to
16 you more than my own wife the last two weeks
17 which has not been good for my home life. I'm
18 sure not you either.

19 We're doing the best we can. It's
20 tough to negotiate when you really don't have
21 something the other party needs or wants.
22 We're working on that. Those two issues that
23 you brought up, we thought about them. They
24 are getting researched.

25 But you got to be realistic because

1 to fight those issues, it's going to cost --
2 and I don't -- I think that case was a
3 Commonwealth Court decision or appeals
4 decision. I can't remember. But it's not a
5 Supreme Court decision.

6 So if that one was going to get
7 litigated, that's going to cost us a heck of a
8 lot of money and you don't know the outcome.
9 But, you know, we promise you we'll look into
10 it. And that's all I could really say.

11 But it is very different to
12 negotiate when you really don't have something
13 the other party wants. So that's all I have
14 for tonight. And thank you all for coming.
15 We appreciate all your input.

16 MR. HALLINAN: One more thing, Mr.
17 McHale.

18 MR. MCHALE: Mr. Hallinan.

19 MR. HALLINAN: I'd like everybody to
20 realize the hard work that -- Mike McHale
21 doesn't do this alone. When he's saying it's
22 his fault, it's a lot of our faults. And I
23 want everybody to realize that.

24 We kind of keep the decorum because
25 we're not going to just keep intervening and

1 talking and keeping here until midnight. But
2 Mr. McHale is not alone. And I give him all
3 the credit in the world for speaking up and
4 saying that. Mike --

5 MR. VERRASTRO: Absolutely.

6 MR. HALLINAN: -- I'm with you. And
7 I'm sorry sometimes it seems like we throw him
8 under the bus. But we're just trying to keep
9 decorum, keep things moving along. And
10 sometimes you sit here and say, oh, they're
11 keeping their mouths shut, but Mike's not alone
12 at this.

13 I was part of it. We make mistakes.
14 I'm sorry. I'm here nine months. I've been a
15 Borough citizen all of my life -- well, for a
16 short time in Scranton. But I just -- you
17 know, I just want you to know my heart's in
18 Dunmore.

19 And my heart's with Mike McHale
20 because he's an asset that we're going to lose
21 in a year because he's going to -- he's not
22 running again. So thank you, Michael, for -- I
23 stand behind you.

24 MR. NARDOZZI: I echo that.

25 MR. MCHALE: Thank you, Hal. I said

1 a lot tonight. And, you know, it's not been an
2 easy three weeks because, you know, you get the
3 accusations and the snide comments. And if
4 anybody knows me -- and I do have a lot of
5 friends here, know that my integrity is without
6 question. There's a good one in the back that
7 I see.

8 So it's hard hearing the snide
9 comments. And I'm looking at you because you
10 did it three or four times. So that's the
11 stuff that gets to you as you sit up here.
12 And, you know, I hadn't slept after last
13 meeting -- and again a lot of it's on me.

14 And I apologize for what happened
15 last meeting, you know, I apologized to Gary
16 for what -- that was totally on me. And the
17 agreement, like I said, we all had it but I
18 should have known better. And I feel horrible
19 about it.

20 And I promise you, it's not going to
21 happen again. You know, we all have the same
22 goal here. I think you heard tonight that
23 we're all on the same page. It's just a matter
24 of bridging the two gaps and trying to get some
25 money for the town on the way out, whether it's

1 five years, nine years, fifty years, we're just
2 trying to protect the town.

3 And I hope you all realize that. I
4 think it was a pretty good forum tonight minus
5 a few. But I do appreciate everybody coming
6 out. You know, you could have my card, call my
7 cell phone. A lot -- Pat and I texted 20 times
8 just this week -- last couple weeks I should
9 say.

10 You know, I'll keep everybody
11 informed. The website comments, our website a
12 prior Councilman brought it for -- wanted us to
13 spend \$30,000 on a website. We just didn't
14 have the money at this point. Okay, so, yeah,
15 it's something we need to look to. We're going
16 to try to ramp stuff up.

17 Vito is trying to do it on his own.
18 We're doing the best we can. And I promise you
19 it's not going without, you know, without
20 effort. So, you know, it's tough sitting up
21 here and hearing the criticism.

22 But that's kind of why I put my name
23 on the line to run for office. And, you know,
24 I'm going to try to not let you down for the
25 time that I'm here. So with that, I'll look

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for a motion to adjourn.

MR. VERRASTRO: I'll make that motion.

MR. NARDOZZI: Second.

MR. MCHALE: We are adjourned.

C E R T I F I C A T E

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