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COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Monday, March 11, 2024

TIME:

6:00 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 :

- JANET BRIER - President
- KATHERINE OVEN - Vice President
- MICHAEL DEMPSEY
- THOMAS HALLINAN
- ELIZABETH ZANGARDI
- WILLIAM O'MALLEY, III
- PATRICK LOUGHNEY
- GREG WOLFF, Borough Manager
- MICHAEL P. PERRY, Esquire, Solicitor

MICHELLE SMOLSKIS  
OFFICIAL COURT REPORTER

1 (Pledge of Allegiance.)

2

3 MR. WOLFF: Roll call. Mayor  
Conway.

4 MAYOR CONWAY: Here.

5 MR. WOLFF: Mr. Loughney.

6 MR. LOUGHNEY: Here.

7 MR. WOLFF: Mr. Dempsey.

8 MR. DEMPSEY: Here.

9 MR. WOLFF: Mr. O'Malley.

10 MR. O'MALLEY: Here.

11 MR. WOLFF: Mrs. Brier.

12 MS. BRIER: Here.

13 MR. WOLFF: Mrs. Mackrell Oven.

14 MS. OVEN: Here.

15 MR. WOLFF: Mrs. Zangardi.

16 MS. ZANGARDI: Here.

17 MR. WOLFF: Mr. Hallinan.

18 MR. HALLINAN: Here.

19 MR. WOLFF: Number three, public  
20 comment on agenda items.

21 MS. BRIER: Does anyone in the  
22 public have any comment on agenda items only?

23 (No response.)

24 MS. BRIER: Seeing none.

25 MR. WOLFF: Number four, motion to

1 approve the minutes.

2 MS. BRIER: Looking for a motion to  
3 approve the minutes from last month's meeting.

4 MR. O'MALLEY: I'll make the motion.

5 MR. LOUGHNEY: Second.

6 MS. BRIER: I have a motion and a  
7 second. Anyone on the question?

8 MR. HALLINAN: I'll abstain. I  
9 wasn't here.

10 MS. BRIER: Okay. Those in favor?

11 ALL MEMBERS: Aye.

12 MS. BRIER: Opposed?

13 (No response.)

14 MS. BRIER: All right.

15 MR. WOLFF: Number five, motion to  
16 approve and pay open bills.

17 MS. BRIER: May I have a motion to  
18 approve and pay the open bills?

19 MR. LOUGHNEY: So move.

20 MR. DEMPSEY: Second.

21 MS. BRIER: Okay. I have a motion  
22 and a second. Anyone on the question? Is Mark  
23 here today?

24 MR. WOLFF: He should be here. We  
25 are a couple minutes early.

1 MS. BRIER: Oh, Okay. Sorry.

2 MR. WOLFF: I'm sorry, Hal, did you  
3 abstain on the --

4 MS. BRIER: Yeah, he abstained.

5 MS. ZANGARDI: He did, yes.

6 MR. WOLFF: Okay.

7 MS. BRIER: So, I have a motion and  
8 a second. Anyone on the question?

9 (No response.)

10 MS. BRIER: All right. All those in  
11 favor?

12 ALL MEMBERS: Aye.

13 MS. BRIER: Opposed?

14 (No response.)

15 MS. BRIER: No. Okay.

16 MR. WOLFF: Number six, Mark is not  
17 here yet?

18 MR. KEARNEY: Yeah, he's here. He's  
19 just getting --

20 MR. WOLFF: Oh, okay. Mark, you're  
21 on.

22 MS. BRIER: Sorry, Mark. We started  
23 a smidge early.

24 MR. BURTON: Okay. Here's our  
25 summary for the month of February. We had a

1 net income of \$275,000, which brings our net  
2 year-to-date income to \$595,000.

3 As far as income was concerned, our  
4 real estate collections are underway. They  
5 started picking up a little bit of steam at the  
6 end of February and is rolling right into  
7 March.

8 On our licenses and permits, we  
9 received our Comcast, the fourth quarter  
10 franchise fee. That was \$55,000. And for  
11 state capital and operating grants we received  
12 \$59,000 for the CFA parking meter grant. The  
13 expense was recognized in January.

14 On expense side, our personnel  
15 administration, a portion of that was \$78,000  
16 through our 2023 work comp audit. Solid waste,  
17 \$50,000 in truck repairs. Highway snow and  
18 maintenance, \$55,000 for rock salt and another  
19 additional 26,000 in repairs. Highway  
20 construction, \$21,000 for a DPW vibrating  
21 roller for the paving projects.

22 And insurance premiums, we paid our  
23 first quarterly installment for the auto and  
24 liability policies for this year.

25 MS. BRIER: I just had a quick

1 question, Mark.

2 MR. BURTON: Sure.

3 MS. BRIER: The IWDA payment, is  
4 that for solid waste?

5 MR. BURTON: That's for pave cuts.

6 MR. WOLFF: That's our inspectors --

7 MS. BRIER: Oh, that's our  
8 inspectors. Okay. Thank you.

9 MR. BURTON: You're welcome.

10 MS. BRIER: Number seven.

11 MR. WOLFF: Mr. Kearney.

12 MR. KEARNEY: In the past several  
13 weeks we've wrapped up the Bidy basketball  
14 season and our end of the year all star  
15 tournament and league championships and  
16 transitioned to baseball activities with  
17 Dunmore Little League and the Dunmore High  
18 School junior baseball team. I'm getting calls  
19 from the league coaches trying to get into the  
20 batting cages.

21 We have continued the weekend  
22 rentals in this room. We have three parties  
23 this weekend here, Friday through Sunday.

24 Looking ahead, we'll be hosting the  
25 Indo-American Society's annual spring

1 celebration and we begin the AAU basketball  
2 rentals next week.

3 As most of you know, I had surgery  
4 last month and I was out for a couple weeks.  
5 I'd like to thank the DCC staff for keeping  
6 things going while I was unable to be here. As  
7 you know, this is a pretty busy place, and my  
8 absence was right in the middle of this, right  
9 in the middle of the all star tournament and  
10 the league championships.

11 So, thanks to the work of Colin  
12 Sohns, Corey and Riley Sullivan, Cailey and  
13 Isabella Waters and Jared Argust, we didn't  
14 miss a beat. Okay. So, I'd just like to  
15 recognize those guys. Thank you. That's all I  
16 have.

17 ALL MEMBERS: Thanks, Chris.

18 MR. WOLFF: Welcome back, Chris.

19 MR. O'MALLEY: Welcome back.

20 MS. BRIER: Welcome back.

21 MR. KEARNEY: Thank you.

22 MR. WOLFF: Mr. Judge. I saw him  
23 here but I don't -- oh, there he is.

24 MR. JUDGE: Hello. We're starting  
25 up patching the roads. If you get any holes,

1 we're not using hot stuff yet, we're using the  
2 cold stuff, but just call the DPW. We're  
3 trying to get the big ones first, you know?  
4 Other than that, that's all I got. Okay.

5 ALL MEMBERS: Thank you.

6 MR. WOLFF: Chief Marchese.

7 CHIEF MARCHESE: Our calls for  
8 service for the month of February, we responded  
9 to 909 calls for service. This number's down  
10 15 from the previous month.

11 Arrests for the month, we had 6  
12 criminal arrests, 11 non-traffic, 31 traffic  
13 arrests, 33 written traffic warnings and 14  
14 verbal traffic warnings.

15 We have one officer on midnights off  
16 long term heart and lung. We had an incident  
17 where three officers, two of them who are full  
18 time on midnights, are now off on workman's  
19 comp, and a part-time officer.

20 Officer Ryan Williams just started  
21 his field training, a part-time officer. So  
22 he's in the process of being trained. We only  
23 had two overtime shifts that went out for the  
24 month.

25 Officer Burgette took part in his



1 monthly SWAT training on February 13th.  
2 Officer Kapacs took part in a two-day firearms  
3 training February 12th through the 13th.

4 During the month of February, the  
5 meters at the Corners collected \$1,654,  
6 including coin, credit card and pay-by-phone  
7 transactions. Parking ticket fines paid for  
8 the month of February totaled \$590. That's all  
9 I got.

10 MS. BRIER: That's great. Chief,  
11 can you talk about the grant we received for  
12 the speeders?

13 CHIEF MARCHESE: The --

14 MS. BRIER: The grant your  
15 department received.

16 CHIEF MARCHESE: I think Mayor  
17 Conway's familiar with that one.

18 MAYOR CONWAY: The one that you got  
19 for --

20 MS. BRIER: Speedings.

21 MAYOR CONWAY: -- for tracking the  
22 speed. Didn't you put out an e-mail last week  
23 for it? The enforcement one.

24 CHIEF MARCHESE: Yeah. No, that's  
25 for our enforcement.

1                   MAYOR CONWAY: Right.

2                   CHIEF MARCHESE: We got a grant, we  
3 get it from the Buckle Up PA, from the state,  
4 so we'll have extra money to put guys out, and  
5 they'll be running traffic all around the town.

6                   MS. BRIER: Okay.

7                   CHIEF MARCHESE: In certain areas.  
8 So, anyone who has any troubled spots, just let  
9 me know and we'll have them sit there.

10                  MS. BRIER: Okay.

11                  CHIEF MARCHESE: And that's all  
12 covered by the state. There's no cost to the  
13 Borough.

14                  MS. BRIER: That's great. Thank  
15 you.

16                  ALL MEMBERS: Thanks, Chief.

17                  CHIEF MARCHESE: And we made it  
18 through the St. Patrick's Day parade with no  
19 major incidents.

20                  ALL MEMBERS: Thank you.

21                  MR. WOLFF: Chief DeNaples.

22                  CHIEF DENAPLES: Good evening,  
23 Council. As far as for the month of March, the  
24 only high expenditure we had, or somewhat high  
25 expenditure, was our ground ladder and aerial

1 ladder testing, which was done today. That was  
2 \$1,350. All ladders passed inspection. It's  
3 the first year in a while they all passed with  
4 no issue.

5 The only other expenditures we have  
6 coming up, which we're just waiting for our  
7 grant funds for our 16,000 and change grant  
8 that I mentioned last month, they still haven't  
9 been deposited yet, so we're still waiting on  
10 it.

11 Mark's keeping an eye on the  
12 account. So, as soon as they're deposited,  
13 we'll start making them purchases for those  
14 grant items.

15 As far as overtime for the month,  
16 when this report was completed we had 228 hours  
17 of overtime scheduled and 36 part-time shifts  
18 put out for the month of March. That's  
19 probably going to go up, the overtime and  
20 part-time shifts, because I don't believe that  
21 the one firefighter that's out on heart and  
22 lung is going to be coming back this month the  
23 way it looks now.

24 As far as for the code enforcement  
25 component, we had 9 code enforcement

1 inspections scheduled the beginning of the  
2 month. Calls for service for the fire  
3 department, we had a total of 14 from the first  
4 of the month up to today at the close of  
5 business. That was two rescue and emergency  
6 medical services type calls; four hazardous  
7 materials calls; a service call was one; good  
8 intent, one; false alarms and false calls, same  
9 category, five; and special-type incidents was  
10 one. That's all I have if there's no  
11 questions.

12 MS. BRIER: Thanks, Chief.

13 ALL MEMBERS: Thank you.

14 MR. WOLFF: Number eight, public  
15 comment.

16 MS. BRIER: Would anyone from the  
17 public like to come up and comment?

18 MR. DEMPSEY: Do you want to just go  
19 to Mickey first?

20 MS. BRIER: Yeah. You know what we  
21 were going to do, Mickey has the agreement now  
22 with --

23 MR. DEMPSEY: Proposal.

24 MS. BRIER: -- the  
25 agreement/proposal. He'd like to explain it to

1           folks.

2                    ATTY. PERRY:  Sure.

3                    MS. BRIER:  Take it away, Mick.

4           Because then, you know, we could have comment  
5           so you're kind of up to speed.

6                    ATTY. PERRY:  Thank you.  We've been  
7           negotiating with the fiber optic company with  
8           regard to the work that they're intending on  
9           doing.

10                   Number one, they've committed to  
11           speak to each resident before they work on  
12           their property to try to alleviate any problems  
13           that they can possibly alleviate.  I know some  
14           people have talked about, like Mr. Divizio, his  
15           stamped concrete driveway that he didn't want  
16           disturbed.

17                   So, they're going to meet with each  
18           resident and try to get around any of those  
19           kinds of issues.  That's number one.

20                   Number two, if anybody has a problem  
21           with the restoration of their property, they're  
22           going to do everything they can to try and  
23           satisfy each resident.  If the resident cannot  
24           be satisfied, then we put in a proposal, an  
25           arbitration agreement.

1                   So, the arbitration would provide  
2                   that an arbitrator from the American  
3                   Arbitration Association would be randomly  
4                   selected at no cost to the resident, and that  
5                   arbitrator would come and look at the pre-work  
6                   pictures and look at the property afterward  
7                   that is restored and say, Okay, it's restored  
8                   properly or it's not restored properly.

9                   If the arbitrator says it's not  
10                  restored properly, then they'll restore it.  
11                  Again, if not, there's a bond that's going to  
12                  be put in place that will allow the Borough to  
13                  pay for the restoration of the property to the  
14                  way it was before. This is all going to be in  
15                  place once we sign this agreement.

16                  They're under a stop work order now;  
17                  however, we have to let them continue their  
18                  work or the Borough is going to be subject to  
19                  lawsuit, and it'll be a lot of money that the  
20                  Borough may have to pay out, because they're  
21                  entitled to do this.

22                  They've been declared a public  
23                  utility and they're entitled to do the work in  
24                  the right of way. So, if we stop them or  
25                  continue to stop them from doing that, the

1           Borough is going to be sued, and I can tell you  
2           now it'd be a lot of money. They're not just  
3           going to abandon the project.

4                        So, we believe that this agreement  
5           puts in place things that protect you residents  
6           and your property to try and get it restored to  
7           the way it was before they did the work.

8                        And that's the best we can do, and  
9           we believe that you guys will be satisfied. If  
10          you're not satisfied, then there's an  
11          appropriate process in place to hopefully get  
12          you satisfied.

13                       MS. BRIER: And the agreement will  
14          be on our website so everyone can see it.

15                       ATTY. PERRY: It's just our proposal  
16          right now. It's not signed by either party,  
17          but we've been negotiating with them for the  
18          last month or so.

19                       MR. LOUGHNEY: Yeah. And there will  
20          be a meeting, correct? There will be a meeting  
21          with the officials from the company before this  
22          gets signed? It'll probably be within the next  
23          week or two.

24                       MR. WOLFF: We're looking to put  
25          this on the agenda for two weeks from now's

1 meeting. So, your guys' meeting with Gigapower  
2 and Corning and those, the AT&T group, will be  
3 prior to that.

4 MS. BRIER: Prior. So, before two  
5 weeks tonight, there'll be a meeting that you  
6 folks can talk to Gigapower and Corning.

7 (Inaudible crosstalk.)

8 MR. WOLFF: Right?

9 ATTY. PERRY: Well, I think you can  
10 have it at that meeting.

11 MR. WOLFF: Oh, at the -- yeah.

12 ATTY. PERRY: At that meeting before  
13 the Council votes on the agreement and the stop  
14 work order, you can have the Gigapower  
15 representative come in and explain to the  
16 residents, answer their questions. Or you  
17 could have a separate meeting if you want.

18 MS. BRIER: Okay.

19 MR. WOLFF: Yeah. We'll start that.  
20 It'll probably be -- so, we are recommending  
21 the day two weeks from now, that meeting, have  
22 something prior or during that meeting for --

23 ATTY. PERRY: Right.

24 MS. BRIER: You want to make sure  
25 there's representatives here from those two



1 companies?

2 MR. WOLFF: Yes.

3 MS. BRIER: Okay.

4 ATTY. PERRY: They're going to have  
5 to be here, yeah.

6 MS. BRIER: Okay.

7 MR. LOUGHNEY: Well, if we have it  
8 the night of the next meeting, everyone here  
9 already knows that. If we have it between now  
10 and then, we're going to have to alert  
11 everyone.

12 MR. WOLFF: Yeah.

13 MR. LOUGHNEY: So, if we just have  
14 it at the next scheduled Council meeting,  
15 everyone knows to come in two weeks.

16 MR. WOLFF: Yeah. And we'll post it  
17 on social media, the website.

18 MR. LUNNEY: Just a suggestion on  
19 the date, though. It's Easter Monday --

20 MR. HALLINAN: Sir, you've got to  
21 say your name for the stenographer.

22 MR. LUNNEY: Oh, I'm sorry. Mike  
23 Lunney, Dunmore resident. I didn't mean to do  
24 that.

25 MR. HALLINAN: That's okay.

1 MR. LUNNEY: Mike Lunney, Dunmore  
2 resident. L-U-N-N-E-Y.

3 MS. BRIER: And your address, sir?  
4 Usually we ask people to come up --

5 MR. LUNNEY: 30 Millennium Drive.

6 MS. BRIER: Okay.

7 MR. LUNNEY: Sorry about that. It's  
8 Easter Monday and it's also the National  
9 Championship game.

10 MS. BRIER: Oh, the NCAA?

11 MR. LUNNEY: Just throwing it out  
12 that it'd be a little bit unusual.

13 MR. LOUGHNEY: Michael, it all  
14 depends on who's in the National Championship.

15 MR. LUNNEY: This is true. I  
16 understand.

17 MS. BRIER: So, why don't we  
18 schedule one for before that?

19 MR. LOUGHNEY: Well, are we having  
20 our meeting on Monday?

21 MS. BRIER: Yeah. Our meeting's the  
22 25th.

23 MR. HALLINAN: Yeah, the 25th.

24 MR. LUNNEY: Oh, okay.

25 MS. BRIER: We're okay. Okay.

1 MR. LUNNEY: Yep. I was off. my  
2 apologies.

3 MS. BRIER: That's okay. All right.  
4 This woman had her hand up first. Wait. You  
5 have to come to the podium, please. And just  
6 say your name and address. Thank you.

7 MS. BENEDICT: My name is Lisa  
8 Benedict. I don't think I need a microphone.  
9 I have a big enough mouth.

10 MS. BRIER: Okay.

11 MS. ZANGARDI: And your address,  
12 too, please?

13 MS. BENEDICT: This situation --

14 MS. BRIER: And your address, ma'am?

15 MS. BENEDICT: Oh. It's 626 Shirley  
16 Lane.

17 MS. BRIER: Okay. Thanks.

18 MS. BENEDICT: My concern is there's  
19 two different contractors that worked on the  
20 property. The first one was this All Pro  
21 Underground, LLC, which I tried to call them  
22 myself, personally, and got nowhere.

23 And when I got the little ticket  
24 that they put on the door, there was no  
25 information of who to call. I had to go on

1 Google to look them up.

2 So, when I looked on Google, I mean,  
3 it was very sketchy with this company, because  
4 this particular company that AT&T subcontracted  
5 with, I called the telephone number that I  
6 found on Google, and a woman answered the phone  
7 and just said hello. I was taken aback.

8 Normally, when you call a business  
9 they'll say who the business is, as far as I'm  
10 aware. Well, who are you? Well, you know,  
11 you're digging up my yard.

12 Then Lehigh Valley -- we have, I  
13 told them, like, I talked with PP&L, when the  
14 PP&L contractor came in to replace it, and I  
15 understand we have a box on our property and I  
16 know they dig there frequently, but I never had  
17 any problems with the PP&L people digging or  
18 anything. It's just this AT&T subcontractors  
19 is where I have a problem.

20 First of all, they dug from January.  
21 Why they came in January to start digging in  
22 the middle of winter is beyond me.

23 ATTY. PERRY: Well, Mrs. Benedict,  
24 they've agreed and admitted that their  
25 communication was terrible for you guys in

1           telling you what they were doing and alerting  
2           the residents that the work was going to be  
3           done. They've admitted that.

4                         Unfortunately, they can't rectify  
5           that. All they can do going forward, they said  
6           they would make every effort to improve the  
7           communication, and as I said, to meet with all  
8           of you before they do the work and try and get  
9           an acceptable way to do it.

10                        MS. BENEDICT: Okay. Because I did  
11           take pictures, because I have ground cover,  
12           it's not -- and I told the contractors, I said,  
13           This is not grass. And I understand grass will  
14           grow back, but this is actually --

15                        MS. BRIER: Like, turf.

16                        MS. BENEDICT: So, I just hope they  
17           repair it.

18                        ATTY. PERRY: Well, if it's not to  
19           your satisfaction --

20                        MS. BENEDICT: And that's all that  
21           matters. I have the paperwork that we paid for  
22           them.

23                        ATTY. PERRY: Right. Good. Yep.  
24           Well, believe me, this agreement is going to  
25           put in place a way that you're going to be able

1 to be satisfied.

2 MS. BENEDICT: Okay.

3 ATTY. PERRY: Okay?

4 MS. BENEDICT: I trust you, Mike.

5 ATTY. PERRY: Well, you're the first  
6 person that --

7 (Inaudible crosstalk.)

8 MS. BRIER: This gentleman.

9 MR. CANDIRACCI: Joe Candiracci,  
10 Swinick --

11 MS. BRIER: You have to come up  
12 here, Joe, okay?

13 MR. CANDIRACCI: I have a big mouth,  
14 too.

15 MS. BRIER: No, you have to come to  
16 the podium.

17 MR. HALLINAN: Somebody else beat  
18 you, Joe.

19 MR. DOUGHERTY: Michael Dougherty,  
20 70 Millennium Drive. Mick, I apologize, I  
21 arrived a couple minutes late, so I kind of  
22 missed your opening there as far as the  
23 agreement.

24 ATTY. PERRY: Well, important part,  
25 I think, Mike, for you, in particular, is that

1 if you're not satisfied with what they're doing  
2 to restore your property, there's an  
3 arbitration process where an arbitrator will be  
4 randomly selected who will come out and look at  
5 everything and make a decision as to whether or  
6 not it's appropriately rectified.

7 MR. DOUGHERTY: Yeah.

8 ATTY. PERRY: And that's at no cost  
9 to you or any of the other residents.

10 MR. DOUGHERTY: Who's going to pay  
11 for that, Mick? Who's paying for my  
12 representation? Because they're probably going  
13 to send one of their big shot attorneys in, you  
14 know?

15 ATTY. PERRY: No. No. Mike, this  
16 is factual thing.

17 MR. DOUGHERTY: Yeah.

18 ATTY. PERRY: Lawyers aren't  
19 necessary. Lawyers aren't necessary for a lot  
20 of things, but they're most certainly not  
21 necessary for this, all right?

22 MR. DOUGHERTY: Yeah.

23 ATTY. PERRY: It's a matter of  
24 looking at the pictures of the property before  
25 they did the work and looking at it afterward

1           and making a decision as an independent  
2           arbitrator, is the restoration appropriate or  
3           not. That's all it is. Nobody really needs a  
4           lawyer for that.

5                       MR. DOUGHERTY: Yeah. Well, I agree  
6           with you, but, you know, I have had  
7           conversations with Gigapower, the  
8           representative that was here back in January,  
9           and he's, you know, I've already been denied  
10          twice by Corning, okay? Corning is the  
11          subcontractor of Gigapower.

12                       So, they pretty much told me -- and  
13          just to go back and restate my position,  
14          they've dug up some of my sidewalks, they've  
15          drilled into some of my sidewalks, so I have  
16          pads that are going to have to be replaced.

17                       However, my issue with the  
18          restoration is -- and restoration to me is that  
19          it should match. And this guy from Gigapower  
20          that I spoke to, he tried to throw that back up  
21          at me when he said, No, we only have to replace  
22          the slabs. And he said it's presumptuous of me  
23          to think that they can't match the slabs up.

24                       Well, I don't know, Frank, you're a  
25          concrete expert, 20-year-old sidewalk, they



1           gonna be able to match the new slabs?

2                       MR. SUMMA:  Nope.

3                       MR. DOUGHERTY:  Okay.  And that's  
4           what I tried to tell him, but, you know, I was  
5           presumptuous and negative for thinking that  
6           way.

7                       But then he proceeded to tell me  
8           that if I had damage to the siding on my house,  
9           that the insurance company would only replace  
10          the damaged section.  And I was thrilled that  
11          he brought that up because I had damage to  
12          hardwood floors in my house years ago, it was  
13          isolated to the kitchen; however, the hardwood  
14          ran into adjacent rooms.  The insurance company  
15          replaced it all, which I told him.  I said,  
16          Well, no, they replaced it all because it had  
17          to match.

18                      So, my definition of restoration,  
19          obviously, is very different from theirs since  
20          they're saying, No, we're not going to do it --

21                      ATTY. PERRY:  But, Mike, they're not  
22          going to be making the decision.  The ultimate  
23          decision will be made by an independent third  
24          party --

25                      MR. DOUGHERTY:  Yeah.

1                   ATTY. PERRY:  -- who is an  
2                   arbitrator with that American Arbitration  
3                   Association.  He has no connection to them.  
4                   They're not picking him.  It's just a random  
5                   selection.  So, it's somebody who's going to  
6                   say, Is Michael Dougherty right or is Gigapower  
7                   right?

8                   MR. DOUGHERTY:  Right.

9                   ATTY. PERRY:  And that's the best  
10                  we can do, get somebody independent to this  
11                  site.

12                 MR. DOUGHERTY:  No.  I agree.  And I  
13                 understand your hands are tied, because, yeah,  
14                 I mean, they could come in here and sue the  
15                 Borough, and I don't want that.  I don't think  
16                 the rest of the affected residents want that.  
17                 We just want our properties to be restored the  
18                 way they were before they showed up.

19                 ATTY. PERRY:  And that's what the  
20                 Borough wants.

21                 MR. DOUGHERTY:  And that's all we're  
22                 looking for.

23                 ATTY. PERRY:  That's exactly what  
24                 the Borough wants.

25                 MR. DOUGHERTY:  Yeah.

1                   ATTY. PERRY: The Borough wants all  
2 of the residents to be satisfied that their  
3 properties have been restored, and that's the  
4 reason for this agreement.

5                   They don't have to agree to any of  
6 this stuff. They could just say, Hey, we're  
7 going to restore it the way we think it should  
8 be restored, and if you don't like it, go sue  
9 us.

10                  MR. DOUGHERTY: Yeah. And that's  
11 part of my problem is --

12                  ATTY. PERRY: But they're not saying  
13 that, Mike. They're agreeing to this process  
14 where they're --

15                  MR. DOUGHERTY: They're agreeing to  
16 the process; however, you know, the way that we  
17 are as a community, as a people, we believe you  
18 do the right thing. Okay, you came in here and  
19 you ripped everybody's properties apart, and  
20 now what you're saying is we're going to tell  
21 you how we're going to fix it. We don't care  
22 about what you want.

23                  ATTY. PERRY: Well, no, that's not  
24 what --

25                  MR. DOUGHERTY: He's already denied

1 me.

2 ATTY. PERRY: Well, I understand  
3 that, but that's why we're putting this in  
4 place, so you have an independent third party  
5 you can go to who's going to say whether you're  
6 right or they're right.

7 MR. DOUGHERTY: Right. Right.

8 ATTY. PERRY: That's all we can  
9 really do.

10 MR. DOUGHERTY: Yeah.

11 ATTY. PERRY: We can't dictate what  
12 they do to each individual's property.

13 MR. DOUGHERTY: Right. I think the  
14 bottom line is this, we didn't ask for this,  
15 they certainly didn't take our -- I mean, it  
16 was complete and utter disregard for our  
17 properties and the residents when they came in  
18 there and did what they did.

19 You know, it was never communicated,  
20 A. B, they just came in and just started  
21 digging all over the place and just did what  
22 they wanted to do.

23 And I understand they're in the  
24 right of way, and I keep being told, and I want  
25 to clear this issue up, I keep being told that

1           there was a borough-issued permit. This guy  
2           from Gigapower told me there's a borough-issued  
3           permit. Is there one or isn't there one?

4                     ATTY. PERRY: I know of no permit.

5                     MR. WOLFF: I think what they're  
6           referring -- I can't speak for them, but I  
7           think what they're referring to is the only  
8           ones that we knew of that they had to fill out  
9           were pave cut permits, and they did fill those  
10          out.

11                    MR. DOUGHERTY: Yeah. And I told  
12          this guy, I said, Look it, if you didn't touch  
13          my sidewalks and you ran them through my yard,  
14          I probably wouldn't have as big of a problem.  
15          But now you ripped my sidewalks apart and  
16          you're gonna drop three or four or five slabs  
17          in there that aren't gonna match 20-year-old  
18          sidewalks. It's gonna look like you know what.

19                    MR. LOUGHNEY: Michael, are they  
20          done up there on your property?

21                    MR. DOUGHERTY: I don't really know,  
22          Nibs.

23                    MR. LOUGHNEY: Can we find out,  
24          Greg, if they're done up there?

25                    MR. DOUGHERTY: Nibs, they were

1 done --

2 MS. BRIER: Well, we stopped it.

3 MR. DOUGHERTY: They came back the  
4 second time.

5 MR. LOUGHNEY: Right. But we  
6 stopped --

7 MR. DOUGHERTY: The first time they  
8 did it --

9 (Inaudible crosstalk.)

10 MR. DOUGHERTY: I'm sorry to  
11 interrupt you. The first time they did it,  
12 they ran it through the yard. Okay. So be it.  
13 We're done. They told us, We're done.

14 They came back, the next thing I  
15 know they're digging in the sidewalks. They're  
16 lifting slabs up. And it's like, What are you  
17 guys doing back? Oh, well, we kind of screwed  
18 up and we need to -- this is what we need to  
19 do.

20 MS. OVEN: Have they attempted to  
21 redo your sidewalks now, or they're still dug  
22 up?

23 MR. DOUGHERTY: No, it's not. They  
24 dropped the slab back down.

25 MS. OVEN: Oh, okay.

1 MR. DOUGHERTY: And the area that  
2 they drilled into and cut out, you know,  
3 because that spans several slabs, they just  
4 filled it in.

5 MS. OVEN: Okay.

6 MR. LOUGHNEY: A good business would  
7 be for them to restore your sidewalks before we  
8 allow them to continue on.

9 MR. DOUGHERTY: Yeah, that would be  
10 great.

11 MR. LOUGHNEY: You know?

12 MR. DOUGHERTY: Agreed.

13 MR. HALLINAN: I see a lot of  
14 what -- it's just the distrust that was created  
15 in the first place that makes everybody leery  
16 about what's going to happen in the future. I  
17 mean, nobody knows better than the Summas  
18 losing electricity and generators, and then  
19 Mr. Dougherty with his sidewalk and what other  
20 problems might be out there. So, there's this  
21 taste in their mouth of should we trust them or  
22 not.

23 So, I don't know if you want to make  
24 that leap of faith and trust in these people  
25 when they come in in two weeks and talk to you,

1           because they probably could answer a lot more  
2           questions, but I kind of agree with  
3           Mr. Loughney in a way that maybe they should go  
4           out and do something first to show everybody,  
5           Hey, we are going to do this and this is what  
6           we're moving forward with, so everybody feels a  
7           little bit more comfortable about their word  
8           rather than what they did in the beginning to,  
9           you know, just go on the property and knock out  
10          electricity and gas and, you know --

11                    ATTY. PERRY: Their word isn't going  
12           to mean as much now when we have an agreement  
13           in place. They're going to have to do what's  
14           right, because an independent third party is  
15           going to say, This is what's right. So, that's  
16           what they're going to have to do.

17                    They've admitted that they messed  
18           up. They admitted that their communication was  
19           terrible with the residents. They've done  
20           that, and I think that's the reason that  
21           they're agreeing to these things, because they  
22           know they messed up.

23                    Now, we can't do anything about what  
24           they've done already, obviously, so --

25                    MR. DOUGHERTY: Obviously, yeah.



1                   ATTY. PERRY: Yeah. They did it --

2                   MR. DOUGHERTY: And, Mick, believe  
3 me, if they came in and said, Look it, what do  
4 you need done? I need the sidewalks replaced  
5 because they're not going to match. They said,  
6 Okay, we'll do it. I'm not standing here. I  
7 could tell you that right now.

8                   But I don't want to have to rely on  
9 an arbitrator because my problem is I didn't  
10 ask them to come onto my property and do what  
11 they did.

12                  ATTY. PERRY: Yeah. Nobody's  
13 blaming you, Mike, for being here.

14                  MR. DOUGHERTY: But you should ask  
15 me how do I want it restored, and you should  
16 ask everybody else how they want their  
17 properties restored. And I know what you're  
18 saying, and I'm not --

19                  MS. BRIER: This is all we can do,  
20 though, Mike. I mean, we can't force them to  
21 restore your property.

22                  MR. DOUGHERTY: I understand.

23                  MS. BRIER: This is what we can do,  
24 because, again, there's a PUC certificate that  
25 supercedes our authority, unfortunately,



1 I'm very hopeful that you won't have to.

2 MR. DOUGHERTY: Right.

3 ATTY. PERRY: And, you know, these  
4 arbitrators are good.

5 MR. DOUGHERTY: Yeah.

6 ATTY. PERRY: They're independent.  
7 They do a good job, they really do. I've used  
8 them in the past, they do a good job. They're  
9 fair.

10 MR. DOUGHERTY: Yeah.

11 ATTY. PERRY: So, I firmly believe  
12 they'll do what's fair for everybody.

13 MR. DOUGHERTY: Yeah. I just don't  
14 want --

15 ATTY. PERRY: And the company has no  
16 choice, if the arbitrator says you get all new  
17 sidewalks, then you get all new sidewalks.

18 MR. DOUGHERTY: Right. Yeah.

19 MR. O'MALLEY: Attorney Perry,  
20 correct me if I'm wrong, Corning said that they  
21 wanted to pick their arbitrator and you said no  
22 to that, correct?

23 ATTY. PERRY: They initially said  
24 they wanted to pick the arbitrator, and we  
25 said, No, we want the arbitrator randomly

1           selected.

2                       MR. HALLINAN:   And you also  
3           negotiated more money.

4                       ATTY. PERRY:   Well, they wanted you  
5           guys to pay the cost -- half the cost of the  
6           arbitrator, and, again, we said no.  We didn't  
7           want you to have to incur any costs in the  
8           arbitration process.

9                       So, we have an agreement that we  
10          think is protecting you guys and we're very  
11          hopeful that it'll work out to everyone's  
12          satisfaction.

13                      MS. OVEN:   Mr. Perry, quick  
14          question, on the language where it says  
15          previous condition, it would be restored to the  
16          previous condition --

17                      ATTY. PERRY:   Yes.

18                      MS. OVEN:   -- does that mean  
19          identical?  I mean, previous condition would be  
20          exactly how it looked before, right?

21                      ATTY. PERRY:   Well, yeah.

22                      MS. OVEN:   I mean, is that what the  
23          arbitrator is looking --

24                      ATTY. PERRY:   I mean, that's always  
25          a subjective thing.

1 MS. OVEN: Okay.

2 ATTY. PERRY: Previous condition.

3 MS. OVEN: But if you have photos,  
4 wouldn't the previous condition be identical to  
5 what was there?

6 ATTY. PERRY: Well, it should be as  
7 close as possible.

8 MS. OVEN: Okay.

9 ATTY. PERRY: But, you know, if you  
10 get a dent in your car, they fix it and it  
11 looks just like it did before. Is it  
12 identical? Well, no, because there was a dent  
13 there, but it's as close as possible to being  
14 like it was before.

15 MR. LOUGHNEY: That doesn't happen  
16 with concrete, Mick.

17 MS. OVEN: I just wasn't sure how  
18 strong that was.

19 (Inaudible crosstalk.)

20 ATTY. PERRY: I defer to the people.  
21 Although my family is in the business, I never  
22 got my hands dirty.

23 MS. BRIER: Greg, we have to stick  
24 to the five minutes, too.

25 MR. WOLFF: Yeah. We're way past

1           that.

2                       MS. BRIER: Yeah. We're way past.

3           Thanks, Mike.

4                       MR. DOUGHERTY: That's fine.

5                       ALL MEMBERS: Thank you.

6                       MS. BRIER: I know that Joe wanted  
7           to speak.

8                       MR. CANDIRACCI: Joe Candiracci, 211  
9           Swinick Drive in Dunmore. The only question I  
10          have, I understand they're going to get this  
11          looking the way it did before, but I have a  
12          total sprinkler system in my front yard, and  
13          they dug exactly where the sprinkler system  
14          goes, so I know there's going to be damage, and  
15          you know what they cost.

16                      MS. BRIER: They have to fix it.

17                      MR. CANDIRACCI: They have to fix  
18          it?

19                      MS. BRIER: They have to restore  
20          that. Absolutely.

21                      ATTY. PERRY: Yes.

22                      MS. BRIER: Absolutely.

23                      MR. LOUGHNEY: Joe, did you say they  
24          dug there already?

25                      MR. CANDIRACCI: Yes.

1 MR. LOUGHNEY: Does the sprinkler  
2 system work?

3 MR. CANDIRACCI: They're not  
4 finished. We can't turn it on in the winter,  
5 it'll freeze.

6 MS. BRIER: Right. So you won't  
7 know until the spring.

8 MR. CANDIRACCI: I won't know until  
9 I turn it on, yeah.

10 MS. BRIER: Right.

11 ATTY. PERRY: They have to fix it,  
12 Joe. They have to fix it.

13 MR. CANDIRACCI: They still have to  
14 go underneath the driveway. I don't know what  
15 that's going to be like, but we'll see.

16 ALL MEMBERS: Thank you.

17 MS. BRIER: Is there anyone else?  
18 Yeah, come on up. Yeah. Sure.

19 MR. SUMMA: While we're on the same  
20 subject, right?

21 MS. BRIER: Sure. Exactly.

22 MR. SUMMA: Frank Summa, 50  
23 Millennium Drive, Dunmore. A few things. By  
24 the way, I'm fully restored after three months.  
25 So, I'm off the generator. But we're on to

1 other things now.

2 A question, Greg, that I asked like  
3 last time about the curb cut, are they  
4 responsible for the repair?

5 MR. WOLFF: They are.

6 MR. SUMMA: Is it 25/25 or is it not  
7 that? Or are they just gonna patch it?

8 MR. WOLFF: No. We have inspectors,  
9 and actually that was one of the bills that  
10 they approved. We have inspectors. They have  
11 to compaction everything.

12 I'm not sure the exact dimensions,  
13 and I apologize for that, because the  
14 inspectors handled it. We have the ordinance.  
15 You could look up the ordinance online,  
16 actually.

17 MR. SUMMA: But they're just a two  
18 by two? They're gonna just patch it two by  
19 two?

20 MR. WOLFF: Again, I'm not sure the  
21 exact thing, but we have inspectors that check  
22 to make sure that it's done correctly.

23 MS. BRIER: NEIC, right?

24 MR. WOLFF: No. IWDA.

25 MS. BRIER: IWDA.



1                   MR. WOLFF: So, they'll meet -- and  
2                   our inspectors are all over it. They do a  
3                   really good job. So, if they don't meet those  
4                   requirements, they will.

5                   MR. SUMMA: Okay. The other thing  
6                   is you mentioned early, which is maybe relevant  
7                   or not, but Comcast, do they pay a fee to the  
8                   Borough? Is that right to know?

9                   MS. BRIER: For what?

10                  MR. SUMMA: I don't know. I heard  
11                  him mention something about that.

12                  MR. WOLFF: They have a franchise  
13                  fee.

14                  MR. SUMMA: They do?

15                  MR. WOLFF: Yeah.

16                  MR. SUMMA: Does AT&T by any chance  
17                  have that with our Borough?

18                  MR. WOLFF: They do not. I'm not  
19                  completely sure on how that works, but that was  
20                  back -- is there a law or -- there's something  
21                  that sets that franchise fee for cable TV. I  
22                  believe, don't hold me to it, it allows  
23                  exclusive --

24                  MS. BRIER: Comcast had an  
25                  exclusivity clause.

1                   MR. SUMMA: Only because they're  
2 running the lines. And I did -- of course I do  
3 my work, because that's what I do now, but  
4 anyway, they just did work up in Green Bay,  
5 Wisconsin, they did 2.5 miles of property, and  
6 the Borough of Green Bay was given \$96,000 for  
7 it.

8                   MS. BRIER: Comcast?

9                   MR. SUMMA: AT&T.

10                  MS. BRIER: Oh, AT&T.

11                  MR. SUMMA: Running these fiber  
12 optics. So, if you didn't do it, I'm only  
13 looking out for the Borough.

14                  MS. BRIER: Yeah.

15                  MR. SUMMA: It'd be nice to --

16                  MS. BRIER: Yeah. We could look  
17 into that.

18                  MR. SUMMA: At our expense, by the  
19 way, but you could do it. All right?

20                  MS. BRIER: Yeah.

21                  MR. SUMMA: But that is it.

22                  MS. BRIER: Thank you. We'll look  
23 into that.

24                  MR. SUMMA: Please do.

25                  MS. BRIER: Yeah, I will.

1 MR. SUMMA: Okay?

2 MS. BRIER: Yeah.

3 MR. SUMMA: Mick, timeline, when you  
4 said that, like, if this goes through, so when  
5 they're done with ours maybe in April --

6 ATTY. PERRY: Yeah.

7 MR. SUMMA: -- is there a timeline  
8 for our repairs to be --

9 ATTY. PERRY: They told us they were  
10 going to start restorations in the spring.  
11 Right, Greg?

12 MR. WOLFF: Correct.

13 ATTY. PERRY: Yeah.

14 MR. WOLFF: I don't know where it  
15 leaves us now with the --

16 MR. SUMMA: Weather-wise, I know  
17 that it really has to do a lot, but I'm just  
18 kind of curious on how long before they --

19 ATTY. PERRY: They've committed to  
20 us as soon as possible. That's what they've  
21 said, so --

22 MR. SUMMA: So, if they're done with  
23 our development, maybe that would happen  
24 shortly thereafter.

25 ATTY. PERRY: I don't know that they

1           have to do the whole development before they  
2           start the restoration of an individual  
3           property. So, I think they'll do it as soon  
4           as --

5                       MR. WOLFF: I would assume so, yeah.  
6           That would be a better question for when we  
7           meet with them. I can't speak to their -- I  
8           know they said they will --

9                       MR. SUMMA: I'm just curious if  
10          there was with the arbitrator and whatnot. Go  
11          ahead.

12                      MS. ZANGARDI: Okay. So, I'm just  
13          curious, can you stain concrete to match for --

14                      MR. SUMMA: No.

15                      MS. ZANGARDI: Now I know.

16                      MR. SUMMA: Too many DIY channels.  
17          But, anyway -- and the other thing is with the  
18          right of way, I know you can't stop them from  
19          doing it, but are they allowed past the right  
20          of way? And, Mick, maybe you could answer that  
21          if you would or not.

22                      ATTY. PERRY: I don't believe they  
23          can go on your property without your  
24          permission.

25                      MR. SUMMA: Without permission.

1                   ATTY. PERRY: Outside of the right  
2 of way.

3                   MR. SUMMA: Okay. And the reason  
4 why I'm asking that is when all this  
5 destruction was done at my property with PP&L,  
6 the crews that came, which was Lehigh  
7 Utilities, that's the very first question they  
8 asked me, Can we go on your property? And of  
9 course if I said no, I don't have power.

10                  MS. BRIER: That was PP&L?

11                  MR. SUMMA: Correct.

12                  MS. BRIER: Yeah.

13                  MR. SUMMA: Twenty-four years ago,  
14 there was no grass, so they didn't care because  
15 they had to put the lines through. But now  
16 that everything was finished, they asked that  
17 question.

18                  ATTY. PERRY: Right.

19                  MR. SUMMA: So, the question is that  
20 we have the right to say no, correct?

21                  ATTY. PERRY: Absolutely.

22                  MR. SUMMA: Okay.

23                  ATTY. PERRY: It's your property.

24                  MR. SUMMA: That's what I thought.  
25 So, seeing a machine 30 feet on my property is

1                   probably not right?

2                   ATTY. PERRY: Not without your  
3                   permission.

4                   MR. SUMMA: I thought so. Okay.  
5                   Yeah. I think that would be it for me.

6                   MS. BRIER: Thanks.

7                   MR. SUMMA: I thank you, though.

8                   ALL MEMBERS: Thank you.

9                   MS. BRIER: Sure. You want to come  
10                  back up?

11                  MS. BENEDICT: I just have an  
12                  additional question. With all this right of  
13                  way questions and everything, and I'm a little  
14                  new to this, what is the right of way? Is it  
15                  from the curb along the road to the end of the  
16                  curb line, like, where the front part of your  
17                  grass is?

18                  MS. BRIER: That's a good question.

19                  MS. BENEDICT: I don't know what the  
20                  right of way is.

21                  MS. BRIER: I don't either.

22                  MS. BENEDICT: I'm thinking it's  
23                  probably the road and it covers --

24                  ATTY. MURPHY: It depends on what  
25                  your deed says.

1 MS. BRIER: Oh. Bob knows.

2 ATTY. MURPHY: There are deeds in  
3 Dunmore that specified 15 feet from the curb  
4 line.

5 MS. BENEDICT: Okay.

6 ATTY. MURPHY: Frankie looked at his  
7 deed, his deed provided that there's a utility  
8 easement 12 feet off the curb line.

9 My understanding is in Pennsylvania  
10 it's accepted that if it is not specified  
11 within the deed, it's ten feet from the curb  
12 line. So, you would have to check your deed  
13 and then measure it.

14 MS. BENEDICT: Okay.

15 MS. BRIER: Thank you.

16 MS. BENEDICT: Thank you.

17 MS. BRIER: Thanks, Bob. That's  
18 interesting. Do you have something?

19 ATTY. MURPHY: Yeah.

20 MS. BRIER: Yeah. Come on up.

21 ATTY. MURPHY: Robert Murphy, 208  
22 Chestnut Street in Dunmore. I have a few  
23 questions, and one of them, and this is more  
24 out of curiosity, Mickey, and I know I talked  
25 to Mike Dempsey, as well, on this, but how

1 would they have a right to sue in light of the  
2 immunity of a municipality? Like, what would  
3 give them a right to actually sue you if you  
4 decide not to lift the work order?

5 ATTY. PERRY: They can sue. It's  
6 not a tort action.

7 ATTY. MURPHY: Well, but that's what  
8 I mean, what is it?

9 ATTY. PERRY: Well, it would be an  
10 action, it would be --

11 MS. BRIER: We'd be in violation of  
12 the PUC certificate, number one.

13 ATTY. PERRY: Yeah. It would be  
14 more of a contractual action as opposed to a  
15 tort action. For a tort action, you have to be  
16 within one of the exceptions for immunity.

17 ATTY. MURPHY: Yeah.

18 (Inaudible crosstalk.)

19 ATTY. MURPHY: Because that's -- I  
20 know the utilities, most courts have said the  
21 utility exception only applies to steam and  
22 water. So, I was just wondering why they would  
23 be able to do it.

24 ATTY. PERRY: Well, the PUC says  
25 that they're a utility, so they have the same



1 rights as steam and water.

2 ATTY. MURPHY: Okay. I was just  
3 curious, you know.

4 ATTY. PERRY: Yeah.

5 ATTY. MURPHY: Because we talked  
6 about it briefly, but I was just curious what  
7 you think the exposure would be.

8 My questions are, now, the first  
9 time this came up, Richard came in from  
10 Gigapower, and there were several items that I  
11 brought up and that Nibs Loughney pressed him  
12 on, and as a result, he agreed.

13 One of them was that they were not  
14 going to conduct any work after 6 p.m. Second  
15 was that they are not going to leave any  
16 dangerous conditions exposed when they conclude  
17 work for a day, because there were problems  
18 with them leaving open holes, especially up by  
19 Pat Lavelle's house. There were several open  
20 holes that we would see when we were walking  
21 the dog at night.

22 They also agreed that they were  
23 going to provide me, and they have not yet, but  
24 Rich specifically said that he would get me a  
25 dec page from the insurance policies. So, the

1           agreement should reflect that they're not to  
2           work after 6 p.m. absent some exigent  
3           circumstance. If they're in the middle of  
4           something and they have to do it to make sure  
5           there's not more damage, I understand, but they  
6           said they would conclude no later than 6.

7                        It should say, in particular, that  
8           there's not going to be any dangerous  
9           conditions left exposed at the conclusion of  
10          their workday. In other words, cover the  
11          holes.

12                       They should provide that they have  
13          insurance. And this is one of the concerns  
14          that I brought up a number of times, but when  
15          you look at these --

16                       MR. WOLFF: Yeah. They did --  
17                       (Inaudible crosstalk.)

18                       MR. WOLFF: We have certificate of  
19          insurances.

20                       ATTY. MURPHY: All right. But are  
21          they providing you with dec pages? Do they  
22          have bodily injury coverage?

23                       MR. WOLFF: They gave us the  
24          certificate of insurance.

25                       ATTY. PERRY: Yeah. They have

1           bodily.

2                   MR. WOLFF:  Yeah.

3                   ATTY. MURPHY:  Okay.

4                   ATTY. PERRY:  They're covered.

5                   ATTY. MURPHY:  Because I asked for  
6           their dec pages, and Rich said I could have  
7           them, but he never got them to me.

8                   MS. BRIER:  Could we get them to  
9           Bob?

10                   MR. WOLFF:  I mean, I don't know  
11           what the requirement is on that.  I mean, in  
12           business it's certificates of insurance that  
13           are passed through.

14                   ATTY. MURPHY:  But they have to have  
15           a dec page --

16                   MR. WOLFF:  Well, sure.

17                   ATTY. MURPHY:  -- that says what  
18           they're covered for.

19                   MS. BRIER:  Yeah.

20                   ATTY. MURPHY:  And my concern is,  
21           all right, they put a box on Michael  
22           Dougherty's property, and that box is a little  
23           bit below the lip of the sidewalk, so if your  
24           kid falls and injures himself and brings a  
25           personal injury action, who's responsible for

1           that?

2                         And this is one of the problems that  
3           we're going to see going forward. There's  
4           going to be damage to sewer lines and stuff  
5           that we're not going to know about for possibly  
6           a year.

7                         So, like, these are the things that  
8           I'm most concerned of. What happens when they  
9           leave Dunmore and these problems start arising,  
10          sprinkler systems? I've already indicated,  
11          almost every house in Swinick has underground  
12          water conveyance from the house.

13                        ATTY. PERRY: Bob, the agreement  
14          provides for a bond that's going to remain in  
15          place.

16                        ATTY. MURPHY: For how long?

17                        ATTY. PERRY: I believe it's two  
18          years. Didn't we specify? We talked about two  
19          years but I'll have to go back and check the  
20          other documents that we sent back and forth.

21                        ATTY. MURPHY: And, also, the  
22          agreement should specify that they're to work  
23          within the utility easement. Whatever the  
24          utility easement is, that's where they have to  
25          work.

1                   ATTY. PERRY: Well, of course.

2                   That's what the law is.

3                   ATTY. MURPHY: But they're not, and  
4                   that's the problem is --

5                   ATTY. PERRY: Well --

6                   ATTY. MURPHY: You know, you have a  
7                   lot of elderly people, Mickey, they're just  
8                   coming down and working. They came up and told  
9                   Frankie, he said he went out and asked, What  
10                  are you doing? They said eminent domain.

11                  As soon as they say eminent domain,  
12                  even if it's a private company working for a  
13                  public good, they're entitled to compensation.  
14                  In other words, they have to buy an easement,  
15                  and they didn't.

16                  ATTY. PERRY: Yeah. But, Bob, they  
17                  didn't operate properly --

18                  MS. BRIER: That was PP&L, though.

19                  ATTY. MURPHY: No. That was when  
20                  they --

21                  (Inaudible crosstalk.)

22                  ATTY. MURPHY: No. That was when  
23                  they first came out and did the work.

24                  MS. BRIER: Oh, okay.

25                  ATTY. MURPHY: They did this work 30

1 feet off the road line. Like, there's no  
2 reason for them ever to go that far.

3 ATTY. PERRY: I understand that, and  
4 I agree with you, but they've agreed that they  
5 messed up in the past and they're going to talk  
6 to each resident before they do the work and  
7 make sure that it's appropriate, what they're  
8 doing.

9 So, they've agreed to properly  
10 communicate now. They weren't before. But  
11 there's nothing we could do about that. That's  
12 done.

13 ATTY. MURPHY: They came on to Steve  
14 Turel's neighbor and said that we're digging up  
15 your driveway, and she said, No, I don't want  
16 you to do that. And they said that they are.

17 And, again, I didn't talk to her,  
18 she talked to Eileen, but I'm not sure where  
19 they plan on doing this. Again, if they're  
20 beyond the sidewalk line, that's well beyond  
21 the utility easement. What right would they  
22 have?

23 ATTY. PERRY: They don't have any  
24 right, but that's --

25 MS. BRIER: Bob, there's a lot of

1 examples, I know, and that's why we, you know,  
2 you guys came to us and that's why we're doing  
3 all this now, but we do have a five minute, and  
4 we're a little bit over that now.

5 And I appreciate everything you guys  
6 do, really, we all do up here, and this never  
7 would have -- we would have never had the stop  
8 work order or the arbitration agreement without  
9 you folks showing up here. So, thank you.

10 ATTY. MURPHY: No problem. Thank  
11 you.

12 ATTY. PERRY: I mean, if anybody  
13 feels that what they're doing is inappropriate,  
14 all you have to do is call the Borough. Call  
15 Greg, tell him what you think, and they'll look  
16 into it.

17 MS. BRIER: We'll go up there.

18 ATTY. PERRY: Right, Greg? I mean,  
19 not --

20 MR. SUMMA: Mick, I'm going to just  
21 add. So, because most people work, right, we  
22 live in Dunmore, we all work, so when you come  
23 home and see this, what's your first action? I  
24 know what my first action is going to be, it's  
25 not going to be good, but what are --

1                   ATTY. PERRY: They've agreed to talk  
2 to you guys and tell you what they're going to  
3 do.

4                   MR. SUMMA: What if they don't, like  
5 that day? They knock on the door, we're all at  
6 work --

7                   ATTY. PERRY: Well, if they go onto  
8 your front porch and start digging through your  
9 front porch, you know --

10                  MR. SUMMA: Well, the front porch --

11                  MR. HALLINAN: Right. But I see  
12 Frank's point.

13                               (Inaudible crosstalk.)

14                  MR. HALLINAN: Like, they should  
15 give him a, We're going to be there, like,  
16 Monday, we're going to be there Thursday.

17                  MR. SUMMA: So, just so you know,  
18 PP&L did that for me. They gave me an e-mail  
19 and then they also left the door knocker,  
20 within the next five days we will be here,  
21 which was --

22                  MR. HALLINAN: And that's something  
23 we could ask for.

24                  MR. LOUGHNEY: Unless they get in  
25 touch with you, they shouldn't do anything to



1           your property.

2                       MS. BRIER: Right. Yeah, if you're  
3           at work, they have to wait then until you come  
4           home.

5                       MR. SUMMA: Okay.

6                       MS. BRIER: Okay?

7                       MR. HALLINAN: Yeah. Give proper  
8           notice.

9                       MR. ROGATO: Ralph Rogato, 703 Smith  
10          Street, Dunmore, PA. I really stand back there  
11          and I listen that there's an attorney, an  
12          attorney that lives in the Borough standing up  
13          here asking important questions and you're  
14          putting him on a five-minute limit when  
15          something serious is going on. That's sad.

16                      Number two, regarding your question,  
17          all these utility workers should have IDs on  
18          them. If they don't have a photo ID on them,  
19          don't let them in your house. Call the police,  
20          because you don't know, it might be a scam.

21                      Frank, correct me if I'm wrong, the  
22          state puts piping underneath highways without  
23          digging up the highway, correct?

24                      MR. SUMMA: In most cases.

25                      MR. ROGATO: Okay. Why aren't they

1           doing the same thing across a four-foot  
2           sidewalk digging on one side, digging on the  
3           other, and running a conduit across it and  
4           putting it in that way instead of touching your  
5           concrete or your driveway?

6                       MR. SUMMA: That's probably a  
7           project manager.

8                       MR. LOUGHNEY: If I may, Frank?  
9           Ralph, if you have questions, you have to  
10          direct them to us, not to the --

11                      MR. ROGATO: Oh.

12                      MR. LOUGHNEY: Please.

13                      MR. ROGATO: Oh, I'm sorry.

14                      MR. LOUGHNEY: Yeah.

15                      MR. ROGATO: Well, I know he does  
16          that.

17                      MR. LOUGHNEY: Yeah. No, no.

18                      MR. ROGATO: Well, there's systems  
19          out there that you're allowed to -- they run  
20          conduit and electrical across four or five lane  
21          highways through solid concrete.

22                      There's a place up in Jessup that  
23          it's an actual tube that they insert a liquid  
24          fiberglass tube inside of it, and by the time  
25          it gets to the other end of the highway and

1           when it hits the air, it's a solid tube across  
2           that they could run water through it. It's  
3           right in Jessup up right above the storage  
4           units in Jessup, the company it belongs.

5                     You keep saying the word right of  
6           way, okay? We own our sidewalks, because it's  
7           part of your property, we maintain them and  
8           everything, but if somebody falls on them,  
9           they're open domain. So anybody could use  
10          them, but we're responsible for them, but if  
11          somebody falls on them, they're gonna come  
12          after our property insurance, correct? Sir?  
13          The attorney.

14                    ATTY. PERRY: I can't speculate as  
15          to what anybody's going to do if they fall on  
16          your property. More than likely they'll sue  
17          you and then you'll sue the person who messed  
18          up your sidewalk that caused them to fall, if  
19          someone else did it. That's the way it works.

20                    MR. ROGATO: You answered my  
21          question, because what I'm going to say is you  
22          could be sued for anything, correct, whether  
23          it's frivolous or not?

24                    ATTY. PERRY: Anybody can sue  
25          anybody for anything.

1 MR. ROGATO: Correct.

2 ATTY. PERRY: That's correct.

3 MR. ROGATO: Okay. Why don't we  
4 start a go fund me for all the people in the  
5 Borough that's going to have all this work done  
6 and have maybe the Borough match the funds, and  
7 this way here there's a little nest egg for  
8 people that have to go against the utilities  
9 that once they say, Frank, we did as much as we  
10 can, we're washing our hands, so he doesn't  
11 have to incur that bill?

12 ATTY. PERRY: There's no bill.  
13 There's no bill for anybody. It's an  
14 arbitration. There's no cost to any homeowner  
15 as a result of that. No cost.

16 MR. ROGATO: The arbitration part,  
17 if the arbitration is denied and he's not  
18 satisfied, then he has to go get his own  
19 attorney, correct?

20 ATTY. PERRY: That's correct.

21 MR. ROGATO: Okay. Well, what would  
22 stop them from just not doing it because now  
23 they have all the money in the world, because  
24 they're a large corporation, and he doesn't  
25 have that much money?

1                   ATTY. PERRY: They have to do what  
2                   the arbitrator says. That's part of the  
3                   agreement. That's why you have an arbitrator.

4                   MR. ROGATO: Okay. Is the  
5                   arbitrator a common layperson or is he an  
6                   attorney, or doesn't it matter?

7                   ATTY. PERRY: The American  
8                   Arbitration Association arbitrators, they're  
9                   certified by that association. I don't believe  
10                  they have to be lawyers.

11                  MR. ROGATO: They don't have to be  
12                  lawyers. Okay. I want to thank Mr. Wolff. He  
13                  actually came through and gave me some  
14                  information that I asked.

15                  Unfortunately, it was a little bit  
16                  late. And, Sal, I apologize, I had to subpoena  
17                  officers to come off the road to testify to  
18                  reports that if I had them in court I would  
19                  have been able to use them without the police  
20                  officers there.

21                  We all talk about taxes. I have my  
22                  tax thing here that's paid, Mr. Wolff. My  
23                  taxes are paid. Because somebody questioned me  
24                  about if I pay taxes. \$1,669.37 for my county  
25                  and my borough tax. Okay?

1 MS. BRIER: Do you have a question,  
2 Ralph? Do you have a question?

3 MR. ROGATO: Yes.

4 MS. BRIER: Okay.

5 MR. ROGATO: I think the Borough  
6 should stand strong against the utility.

7 MS. BRIER: That's what we're doing.  
8 That's what we're doing.

9 MR. ROGATO: We shall see. Thank  
10 you.

11 ALL MEMBERS: Thank you.

12 MS. BRIER: Anyone else? Yeah.  
13 Sure. Come on up.

14 MR. BANICK: Ron Banick, 105 Swinick  
15 Drive, Dunmore. My question is, and maybe Trip  
16 could tell me, last Thanksgiving evening, we  
17 had this big water main break on Grove Street,  
18 West Grove Street. Between Quincy Avenue and  
19 Hitchcock Court, that road is, right now it's  
20 terrible. I mean, now, I know the weather is a  
21 factor, is it on the books to be negotiated  
22 to --

23 MR. O'MALLEY: Yeah.

24 MR. WOLFF: Trip, Mr. Banick, I  
25 could answer that if you'd like.

1 MR. O'MALLEY: Okay.

2 MR. WOLFF: Mr. Banick, yes, it was  
3 decided by actually inspectors looked into it  
4 and we wanted to wait until the winter.  
5 Everything goes through.

6 I know it's a mess, I drive there a  
7 lot, but we wanted to wait until the winter,  
8 everything settles, everything, you know, make  
9 sure everything's -- we find all the problems,  
10 so to speak, and the water company will be  
11 restoring that road.

12 So, bear with us a little bit  
13 longer. I know it is a mess, but --

14 MR. BANICK: You go around that  
15 corner and people don't realize it, but it's  
16 all bumpy and --

17 MS. BRIER: Yeah.

18 MR. WOLFF: Put it this way, it's  
19 speed bumps, slow people down, right?

20 MS. BRIER: No, it is bad.

21 MR. WOLFF: No, it is a mess, but  
22 they are aware they have to restore it.

23 MS. BRIER: They had, like, a flood.

24 MR. WOLFF: Yeah.

25 MR. HALLINAN: Yeah. We wanted to

1           make sure that all the damage showed its face  
2           come springtime. We could have repaired it  
3           then, we didn't want to, it was not worth it,  
4           so now maybe even Monroe Avenue, we're going to  
5           see what's going on there.

6                       Once the spring breaks, the road  
7           heats up, then it's going to show its ugly face  
8           and show us what really the damage that has  
9           happened down there.

10                      MR. BANICK: Yeah.

11                      MR. HALLINAN: That's just on the  
12           surface. I'm sure they're going to have to dig  
13           up subbase an everything there.

14                      MR. BANICK: Oh, well, they did,  
15           fortunately, put in a temporary --

16                      MR. HALLINAN: Patch.

17                      MR. BANICK: -- road patch.

18                      MR. HALLINAN: Yes, sir.

19                      MR. BANICK: However, then after a  
20           period of time it started to lift and --

21                      MS. BRIER: Yeah. That doesn't  
22           work.

23                      MR. HALLINAN: It's all bumps.  
24           Yeah. It'll be restored, sir.

25                      MR. BANICK: As long as that's



1 going. Good. Okay. All right. A couple  
2 other items that I'm thinking. I don't want to  
3 take anything away from the discussion on the  
4 fiber optic thing, but we have the new parking  
5 meters in the Borough.

6 MS. BRIER: Yes.

7 MR. BANICK: How are they working  
8 and are they making any money?

9 MS. BRIER: Yep. We did report on  
10 that.

11 MR. BANICK: Okay.

12 MR. LOUGHNEY: Sixteen hundred last  
13 month.

14 MS. BRIER: Sixteen hundred last  
15 month.

16 MR. BANICK: Okay.

17 MS. BRIER: Plus 500 in fines.

18 MS. OVEN: And tickets.

19 MS. BRIER: Chief --

20 MR. BANICK: How often do they  
21 collect on that?

22 MS. ZANGARDI: Chief Marchese can  
23 answer that.

24 MS. BRIER: Chief Marchese already  
25 reported on that, but it is working. We were

1 reimbursed for the cost of them by the State,  
2 you know, because we put out a grant, and all  
3 of the merchants up there are really, really  
4 happy because --

5 MR. BANICK: I've gone into several  
6 stores and asked the person, and Lenard  
7 (phonetic), he said it's great because before  
8 people were just parking --

9 MS. BRIER: People were just parking  
10 all day.

11 MR. BANICK: -- would be there all  
12 day.

13 MS. ZANGARDI: Right.

14 MS. BRIER: It was driving Denny  
15 Ross and Cara nuts, because, you know, people  
16 couldn't get into their business, you know?  
17 And now when you go by, there's parking at  
18 Dunmore Corners because people park, pay the  
19 thing and leave, you know?

20 MR. BANICK: Right. Another thing  
21 is now it's coming time you're going to be  
22 paying taxes, and I know a lot of people drive  
23 down to the Borough Building who park on the  
24 side street to try to get in the side door but  
25 it's locked. You have to go all the way around

1 to the front, up the steps, push the button --

2 MS. BRIER: There's a doorbell.

3 MR. WOLFF: In the back there's a --

4 MS. BRIER: In the back.

5 MR. WOLFF: -- handicap accessible.

6 MR. BANICK: There's a doorbell?

7 MS. ZANGARDI: Yes.

8 MR. WOLFF: In the back.

9 MS. BRIER: In the back near the  
10 fire department.

11 MR. BANICK: All right.

12 MS. BRIER: And you could pay online  
13 now, just so everyone knows. I mean, a lot of  
14 people, you know, don't feel comfortable doing  
15 that, but you could mail, you could now go  
16 online and pay it, as well as showing up.

17 MR. BANICK: Okay.

18 MS. BRIER: Yeah.

19 MR. BANICK: And last but not least,  
20 a little thing to put the Borough in a nice  
21 spot, you go up and down the valley and you see  
22 signs saying welcome to Jessup, welcome to  
23 Throop, they have a pretty nice sign. I mean,  
24 we have, like, four or five different main  
25 entrances to Dunmore --

1 MS. BRIER: We do. Yeah.

2 MR. BANICK: -- can something be put  
3 up to --

4 MS. BRIER: Certainly. Yeah.

5 MR. BANICK: -- do that?

6 MS. BRIER: We can look into that  
7 for sure.

8 MR. O'MALLEY: We talked about that  
9 before.

10 MR. HALLINAN: We did talk about  
11 that.

12 MR. O'MALLEY: And I have a student  
13 who is working on his -- he should be getting  
14 his Eagle Scout really soon, and I brought it  
15 up to him, I said it'd be a really nice project  
16 for someone else who wants to become an Eagle  
17 Scout, and, you know, he said he's going to  
18 bring it up to them.

19 MR. BANICK: Okay. All right.  
20 That's good.

21 MR. O'MALLEY: I mean, that's just  
22 one way to get it done, but --

23 MR. BANICK: There was several signs  
24 we see. There's one at Dunmore Cemetery,  
25 there's another one, it used to be over on

1 Wheeler Avenue but it's not there anymore, but  
2 anyway, we have an astronaut from the Borough.

3 MS. BRIER: Oh, yeah.

4 MS. ZANGARDI: Yes. Paul Richards.

5 MR. BANICK: It says that Paul

6 Richards, the home of Paul Richards, the

7 astronaut. There's something you could play

8 on.

9 MR. HALLINAN: Yeah.

10 MS. BRIER: Sure.

11 MR. O'MALLEY: Yeah. There should

12 be something at all roads in.

13 MR. HALLINAN: The only problem is

14 we had them all over before and the college

15 kids were taking them.

16 MR. BANICK: Yeah. Unfortunately, I

17 remember a long time ago there was a guy by the

18 name of Barney Comparetta and he was involved

19 in a lot of stuff with the Borough. He latched

20 onto a guy that made these signs.

21 Unfortunately, the sign was put up, and I'll

22 bet you two or three days later it got

23 vandalized.

24 MS. BRIER: Yeah.

25 MR. BANICK: I mean, so that knocks

1 the steam out of you.

2 MS. BRIER: Yeah, it sure does.

3 MR. O'MALLEY: Right. But I think  
4 there should definitely be something. Every  
5 way into the Borough we should have something.

6 MS. BRIER: Yeah. I think that's a  
7 great idea.

8 MR. BANICK: Yeah. Your main roads  
9 coming into the Borough from Scranton is, like,  
10 over there on Clay Avenue, coming in that way,  
11 Monroe Avenue is a -- coming up Green Ridge  
12 Street.

13 MS. BRIER: Yeah.

14 MR. BANICK: And getting on Drinker  
15 Street up at the top of --

16 MS. BRIER: There was. It used to  
17 be a real nice sign there years ago.

18 MR. BANICK: Yeah. There was one  
19 there, too.

20 MS. BRIER: Yeah.

21 MR. HALLINAN: Thank you.

22 MS. BRIER: Well, thanks,  
23 Mr. Banick.

24 ALL MEMBERS: Thank you.

25 MS. BRIER: Thanks for coming to the

1 meeting, too. I appreciate it. anyone else?

2 MR. ROGATO: Yeah. I have a  
3 question. It's great to see a stenographer  
4 here. I applaud the Borough for that to make  
5 sure that we have accountability. And during  
6 the meeting both the attorney and the people on  
7 Borough Council and Mr. Wolff had said they  
8 didn't know the answers to questions. So, are  
9 those notes going to be --

10 MS. BRIER: They're public.

11 MR. ROGATO: -- reviewed?

12 MS. BRIER: They're public.

13 MR. ROGATO: Yes. Not for me.

14 Reviewed by the people that didn't have the  
15 answers to the questions that the people in  
16 this room asked them and have it answered for  
17 them next time?

18 MS. BRIER: Yes.

19 MR. ROGATO: Okay.

20 MS. BRIER: Thank you.

21 MR. ROGATO: Thank you.

22 MS. BRIER: So, if there's no one  
23 else, I'd like to entertain a motion to  
24 adjourn.

25 MR. WOLFF: No. You got to --

1 MS. BRIER: Oh. Public officials.  
2 Sorry. I always forget about the public  
3 officials.

4 MR. DEMPSEY: I don't have anything  
5 tonight, but I have to run to get --

6 MS. BRIER: I hear ya.

7 MR. DEMPSEY: Yeah.

8 MS. BRIER: Thanks, Mike.

9 MR. DEMPSEY: All right.

10 MR. ROGATO: Ma'am, this gentleman  
11 wants to --

12 MS. OVEN: Oh. Sure.

13 MS. BRIER: Sure. Absolutely.

14 MS. ZANGARDI: Come on, Hank.

15 MR. SALVIN: Yeah.

16 MS. ZANGARDI: Name and address,  
17 please.

18 MR. SALVIN: Henry Salvin, 800  
19 Brenda Lane, Dunmore. Is there any plans in  
20 the future to repair Reeves Street or Chestnut  
21 Street?

22 MS. BRIER: Yeah. We were just  
23 talking about Chestnut Street with the utility.  
24 Reeves Street, we are working on a pave project  
25 now. We have to, as soon as the spring comes



1 we're gonna -- you know, we have to do it  
2 piecemeal because we don't have enough money to  
3 do everything, but if you're interested in  
4 Reeves Street, we could take a look at that.

5 MR. SALVIN: Okay.

6 MS. BRIER: Okay?

7 MR. SALVIN: That's all I wanted.

8 MS. BRIER: Okay. Thank you.

9 MS. ZANGARDI: Come on up, Frank.

10 MS. BRIER: Greg, do you have  
11 anything for us?

12 MS. ZANGARDI: Frank does.

13 MS. BRIER: Oh, Frank. Okay.

14 MR. SENOFONTE: I'll make it quick.

15 MS. BRIER: Sure. Take your time.

16 MR. SENOFONTE: Frank Senofonte, 620  
17 Shirley Lane.

18 MS. BRIER: Yep.

19 MR. SENOFONTE: Are they done  
20 working up in our area? They're not done  
21 digging and stuff like that?

22 MS. BRIER: No. We put a stop work  
23 order.

24 MR. LOUGHNEY: The stop work order  
25 stopped them from doing anything.

1 MS. BRIER: We have a stop work  
2 order for the last two months.

3 MR. SENOFONTE: Like, how much work  
4 do they have to do?

5 MS. BRIER: We don't know.

6 MR. HALLINAN: That'll be a great  
7 question in two weeks.

8 MS. BRIER: Yeah. Ask them when  
9 they come. They're going to be here.

10 MS. ZANGARDI: We're bringing them  
11 in to meet with everybody to go over  
12 everything.

13 MS. BRIER: And you can ask them at  
14 that time.

15 MR. SENOFONTE: Is AT&T involved  
16 with this? I mean, do they -- can they show up  
17 to one of these meetings and find out what's  
18 really going on?

19 MS. BRIER: That's what we're going  
20 to try and get them to show up, yep.

21 MR. SENOFONTE: They do show up  
22 or --

23 MS. BRIER: No. We want them to  
24 show up for the -- were you here when we said  
25 we're going to meet again in two weeks?

1 MR. SENOFONTE: Well, I don't think  
2 they have a choice. I mean, you know, they're  
3 going to make money at our expense.

4 MS. ZANGARDI: Right.

5 MS. BRIER: Yep.

6 MR. SENOFONTE: You know, they're  
7 destroying our properties.

8 MS. BRIER: Yep.

9 MR. SENOFONTE: Now, they dug a hole  
10 in my driveway because I have a water line that  
11 goes underneath the driveway, and they said  
12 they'll take care of it. Well, there's a cold  
13 patch there now.

14 MS. BRIER: Right.

15 MR. SENOFONTE: And both ends of the  
16 driveway are sunk because of the -- it looks  
17 like that, an Abrams tank up there going on my  
18 property.

19 MS. BRIER: Yeah.

20 MR. SENOFONTE: That's how big the  
21 pieces of equipment were. So, the only way to  
22 repair that is to patch it. There was no  
23 patches in my driveway before.

24 MS. BRIER: Right.

25 MR. SENOFONTE: Before the invasion,

1 put it that way, and I want it to look the way  
2 it was prior to that.

3 MS. BRIER: And that's why we have  
4 the arbitration.

5 MR. SENOFONTE: I know.

6 MS. BRIER: That's why we have the  
7 agreement, sir.

8 MR. SENOFONTE: Yeah, I understand  
9 that, but the thing is they do do a lot of  
10 damage.

11 MS. BRIER: Yeah. Obviously, yeah,  
12 they've done a lot of damage.

13 MR. SENOFONTE: And there's an  
14 easement question, you know, is it ten feet,  
15 twelve feet, thirteen feet?

16 MS. BRIER: Right.

17 MR. SENOFONTE: Well, the work is  
18 being done within the easements, per se.

19 MS. BRIER: Okay.

20 MR. SENOFONTE: But they have to go  
21 on our property to do the work.

22 MS. BRIER: Yes.

23 MR. SENOFONTE: Now, I have two  
24 junction boxes in my front property. Now, for  
25 people across the street that want fiber optic,

1           they're going to have to come on my property to  
2           do the drilling and to shoot the bolt across,  
3           underneath the street. Now, can I say you  
4           can't come on my property? How are they gonna  
5           get their work done?

6                        MS. BRIER: I mean, people have made  
7           the analogy years ago when they were putting  
8           the sewer lines in, we had the same situation,  
9           and a lot of people said, I don't want sewers,  
10          I have a septic. But this was something  
11          that's, you know, a public utility issue, and,  
12          you know, everyone had to put the sewers in.

13                       And you can make the analogy that  
14          this is, you know, a public utility putting in  
15          fiber optic for all of us, and, you know, our  
16          objection is to the way they were doing it,  
17          which was horrible for everyone.

18                       So, that's why we, you know, Mickey  
19          met with their representatives, that's why we  
20          want them to come here and speak to you and  
21          answer your questions so that you have --  
22          everybody has a really, really, really bad  
23          taste in their mouth for good reason. It was  
24          done horribly.

25                       So, we're trying to do what we can

1 do to rectify the situation. We put the stop  
2 order in, we had Mickey negotiate this  
3 agreement, we're going to get them to a public  
4 meeting, and they can answer your questions.

5 I'm hoping that things will turn  
6 around, that they'll realize, you know, the  
7 error of their ways, but this is a public  
8 utility project, you know, analogous to putting  
9 in sewers. So, you know, again, like where I  
10 live in Dunmore, there's poles, so they just  
11 strung out the poles.

12 MR. SENOFONTE: Yeah.

13 MS. BRIER: You know, not even  
14 digging up anybody's property, or we'd have the  
15 whole town in here.

16 MR. SENOFONTE: Right.

17 MS. BRIER: For good reason. For  
18 good reason. As I said, when I was  
19 campaigning, I campaigned and, you know, when  
20 you go door to door, you see how well people  
21 take care of their properties, and Swinick in  
22 particular. I mean, house after house after  
23 house was meticulous.

24 MR. SENOFONTE: Right.

25 MS. BRIER: So, we want that to be

1 restored to the extent that it was.

2 MR. SENOFONTE: Yeah. But I don't  
3 want to live all summer with straw and rocks on  
4 my front lawn. Actually, there's no lawn,  
5 there's all straw.

6 MS. BRIER: Right. Well, we could  
7 talk to them when they're here, when they come  
8 here, because I can't answer those questions.  
9 I mean, I just can't. I don't know the  
10 answers.

11 MR. SENOFONTE: Well, I'm saying,  
12 maybe they should not go beyond Reeves Street,  
13 say going west, until they take care of the  
14 damage on the east side of Reeves Street.

15 MS. BRIER: Well, that's something  
16 we could definitely talk to them about.  
17 Absolutely we could talk to them about that.  
18 Okay?

19 MR. SENOFONTE: Another thing. They  
20 hit my lateral, my sewer line. The toilet  
21 works good, by the way.

22 MS. ZANGARDI: We worked hard on  
23 that, Frank.

24 MR. SENOFONTE: I lost it for almost  
25 a week. They denied that they hit the lateral.

1 Well --

2 MS. BRIER: Who fixed it then?

3 MR. SENOFONTE: We had the -- pardon  
4 me?

5 MS. BRIER: Who fixed it?

6 MS. ZANGARDI: It took a while  
7 for -- may I?

8 MR. SENOFONTE: They made the  
9 repairs.

10 MS. ZANGARDI: They came back.

11 MS. BRIER: Oh, they did fix it?  
12 Okay.

13 MR. SENOFONTE: They denied that  
14 they did it.

15 MS. BRIER: But they fixed it  
16 anyway?

17 MR. SENOFONTE: Well, they had to.

18 MS. BRIER: Because they did it.  
19 Yeah.

20 MR. SENOFONTE: They did it. But  
21 it's going to happen again to somebody else's  
22 property, because they don't mark the lateral  
23 from your house to the curb. That's your  
24 responsibility.

25 MS. BRIER: And, again, we have to



1 talk to them about that. I mean, there are,  
2 you know, they have to mark those.

3 MR. SENOFONTE: They don't mark it.  
4 The sewer company does, they don't mark it.

5 MS. ZANGARDI: That's right. They  
6 did say that to us.

7 MR. SENOFONTE: They'll mark from  
8 the curb to the street but they won't mark from  
9 the curb to your house.

10 MR. HALLINAN: I got you. Okay.

11 MR. SENOFONTE: Now, and if they go  
12 out to the street and they mark it to the curb  
13 line, then you can eyeball exactly where the  
14 lateral is going to be, but I don't -- is that  
15 typical to do something like that?

16 MR. HALLINAN: I don't think so.

17 MS. BRIER: I don't either.

18 MS. ZANGARDI: We can ask.

19 MS. OVEN: Yeah.

20 MS. ZANGARDI: It's not going to  
21 hurt to ask. And, again, in two weeks we're  
22 all going to be here together, so it's a good  
23 question to ask and it's a good question for  
24 everybody to have an answer to that.

25 MR. SENOFONTE: We need a lot of

1           answers.

2                           MS. BRIER: How are we doing on  
3           time?

4                           (Inaudible crosstalk.)

5                           MS. BRIER: Well, right now that  
6           five minutes is up. So, thank you again for  
7           coming.

8                           MR. SENOFONTE: Could I go?

9                           MS. BRIER: You could go. Thank  
10          you.

11                          MR. HALLINAN: And I'm glad  
12          everything's okay with you, Frank.

13                          MR. DIVIZIO: Gene Divizio, 520  
14          Thomas Drive, Dunmore. And, basically, I just  
15          wanted more of an informational. I am retired  
16          from the water company, so everybody hates the  
17          water company, even me now, because of the rate  
18          hikes and everything, but just information for  
19          everybody. I did work, some of my job was  
20          risk, health and safety, so I did a lot of  
21          depositions, trials, defending the water  
22          company.

23                          You were talking about trip and  
24          falls. Generally, the utilities are  
25          responsible to make sure that they are safe.

1           However, if a utility could prove that a  
2           homeowner was negligent and not reporting a  
3           hazardous condition, whether it be a shutoff or  
4           with the water, gas, or a dip with the boxes  
5           they're putting in, they could be held liable  
6           for a percentage if they are found against  
7           them, and that has happened many times.

8                         So, just as a homeowner, if you guys  
9           see things out there, the shutoffs or any of  
10          them, call them in, because if they prove that  
11          you were negligent and you knew about it, then  
12          you say, Yeah, that's been like that for 20  
13          years, I knew about somebody was going to fall,  
14          they can come back.

15                        MS. OVEN: Call the company, you're  
16          saying? Call the company or call the Borough  
17          or --

18                        MR. DIVIZIO: Call the utility.

19                        MS. OVEN: Okay. The utility.

20                        MR. DIVIZIO: Call the utility,  
21          whatever it is.

22                        MS. BRIER: And document that?

23                        MS. OVEN: And have it documented.

24                        MR. DIVIZIO: Then put it on a  
25          document saying that --

1 MS. BRIER: Yeah.

2 MR. DIVIZIO: -- Hey, I let them  
3 know but they did nothing about it.

4 MS. BRIER: Yeah. Okay. That's  
5 great advice.

6 MS. OVEN: Yeah.

7 MS. BRIER: Yeah. Thank you.

8 MR. DIVIZIO: That's for everybody  
9 to know.

10 MS. BRIER: Yeah.

11 MR. DIVIZIO: As far as restoration,  
12 that came up. That restoration, generally  
13 there's usually a foot around the initial cut  
14 in the road, that's where the utilities is, and  
15 maybe 18 inches, unless, like, the water  
16 company, if there's a washout, then we'd go  
17 bigger.

18 The Borough did have an ordinance  
19 way back, you're talking a 20 foot curb to  
20 curb, but all the utilities got together and  
21 fought the -- the Borough of Dunmore wasn't the  
22 only one, it was actually started other places.  
23 They went to the public utility and they said,  
24 This is not justified.

25 I know from experience when the

1 water company comes in and puts new lines in,  
2 they do the whole road. So, that's probably  
3 the best thing that could happen to Dunmore, we  
4 get all new water lines, then we'll get all new  
5 roads.

6 But I just want more of an  
7 information for everybody, because I'm hearing  
8 these things and being that's what my  
9 experience was in working 20 years with them,  
10 just let everybody know.

11 MS. BRIER: Thank you.

12 MS. OVEN: Yeah. Thank you.

13 MR. DIVIZIO: And I do appreciate  
14 everybody talking about my stamp concrete  
15 sidewalk, and I do put a little extra into my  
16 property, if you've ever been around it. In my  
17 back yard I do, like, I'm crazy with stuff, but  
18 I assume -- I should be treated just like  
19 anybody else.

20 MS. ZANGARDI: Right.

21 MR. DIVIZIO: Equal. But I do love  
22 my concrete. I do not recommend it for anybody  
23 because it's a bear to take care of.

24 The other thing, as my health and  
25 safety came up, last time when we came out of

1           this meeting, I did note in the front here how  
2           dark it is. There's no crosswalk going across  
3           the street or any light. So, I felt, Jeez, I  
4           should --

5                       MS. BRIER: We could do that.

6                       MR. O'MALLEY: That's a good point.

7                       MS. BRIER: Yeah, we could do that.

8                       MR. DIVIZIO: But, you know, a lot  
9           of people park, especially when there's a lot  
10          going on here --

11                      MS. BRIER: Yeah.

12                      MR. DIVIZIO: -- you cannot see.  
13          People fly up this street.

14                      MR. O'MALLEY: Yep.

15                      MS. BRIER: They do.

16                      MR. DIVIZIO: And they really -- you  
17          need a crosswalk.

18                      MS. BRIER: And we need a better  
19          light.

20                      MR. O'MALLEY: And those signs that  
21          denote that there is a crosswalk.

22                      MR. DIVIZIO: Sometimes they'll put  
23          a flashing light and whatever.

24                      MS. BRIER: Yeah, yeah.

25                      MR. DIVIZIO: But that's all I have.

1 ALL MEMBERS: Thank you.

2 MR. HALLINAN: Just to piggyback, we  
3 talked about putting spotlights on this  
4 building to light up that outside.

5 MS. BRIER: Yeah.

6 MR. HALLINAN: You know? So just  
7 something to look into.

8 MS. BRIER: Mike, you had something  
9 else?

10 MR. DOUGHERTY: I just have one  
11 question. They talked about the bond, how much  
12 is the bond going to be for?

13 MS. BRIER: A hundred grand.

14 ATTY. PERRY: A hundred thousand.

15 MR. DOUGHERTY: That's it?

16 ATTY. PERRY: Yeah.

17 MR. DOUGHERTY: They're usually a  
18 million dollars.

19 ATTY. PERRY: A hundred thousand --  
20 (Inaudible crosstalk.)

21 MR. DOUGHERTY: Excuse me?

22 ATTY. PERRY: A hundred thousand is  
23 sufficient in --

24 (Inaudible crosstalk.)

25 MS. ZANGARDI: Okay. Hold on. The

1 stenographer has to take names, questions. So,  
2 sorry. You can come on up and we're here until  
3 the cows come home.

4 MR. DOUGHERTY: I didn't have any  
5 comment beyond that other than I don't think  
6 it's enough.

7 MR. LUNNEY: 30 Millennium Drive,  
8 Dunmore. Thank you. I just had a question  
9 because I know you had mentioned the  
10 photographic evidence, and I don't think  
11 everybody has the pre-photos already done. So,  
12 there's already been work, it's been damaging,  
13 so --

14 ATTY. PERRY: They should have done  
15 them. They were supposed to.

16 MR. LUNNEY: Well, they wouldn't  
17 know to do it because they came in and just  
18 tore up your properties.

19 ATTY. PERRY: No. They're supposed  
20 to --

21 MS. BRIER: No. They're supposed to  
22 do it.

23 ATTY. PERRY: They do.

24 MR. LUNNEY: Oh. That's what I was  
25 going to ask.



1                   ATTY. PERRY: Yeah.

2                   MR. LUNNEY: So, they're doing it  
3 themselves?

4                   ATTY. PERRY: Right.

5                   MS. BRIER: Yeah, yeah, yeah.

6                   MR. LUNNEY: Okay. All right.

7 That's what I just wanted to make sure. I was  
8 fortunate, I have my pictures, thanks to my  
9 savvy neighbors, the Summas and the Doughertys.

10                  MS. BRIER: Yeah.

11                  MR. LUNNEY: But I'm not sure if  
12 everybody else would or even would have the  
13 ability.

14                  ATTY. PERRY: Yeah. No, they --

15                  MR. LUNNEY: So they have all the  
16 documentation?

17                  ATTY. PERRY: They're doing it to  
18 everybody's property --

19                  MR. LUNNEY: Okay. Perfect.

20                  ATTY. PERRY: -- before they start  
21 the work.

22                  MR. HALLINAN: Would we get access  
23 to those photos?

24                  ATTY. PERRY: You don't need access  
25 unless there's a problem.

1 MR. HALLINAN: I got ya.

2 MR. LUNNEY: Well, it might behoove  
3 the property owner to --

4 MS. ZANGARDI: Absolutely.

5 MR. LUNNEY: -- be aggressive and do  
6 it on their own, as well, and have that.

7 MS. BRIER: Yeah.

8 ATTY. PERRY: Absolutely.  
9 Absolutely. That would be a good idea.

10 MS. BRIER: Thanks, Mike.

11 MR. LUNNEY: But maybe that should  
12 be a communication that could go out to -- or,  
13 you know, the companies can alert --

14 MS. BRIER: That's something we can  
15 ask when they come.

16 MR. LUNNEY: Okay.

17 MS. BRIER: Yeah.

18 MR. LUNNEY: We can ask them?

19 MS. BRIER: Yeah.

20 MR. LUNNEY: They should even alert  
21 the person if you want to take your own  
22 pictures prior.

23 MS. BRIER: Yeah.

24 MR. LOUGHNEY: Don't wait for them  
25 to alert you. Go take your own.

1 MS. BRIER: Yeah. I would take your  
2 own.

3 MR. LUNNEY: But, also, community  
4 members should be informed. Like, obviously we  
5 can tell a neighbor or something, but is there  
6 a way to kind of let the masses know, spread  
7 the word?

8 MR. LOUGHNEY: We'll bring that up  
9 at the meeting when we meet with them.

10 MR. LUNNEY: Okay.

11 MS. BRIER: Yeah. For sure.

12 ALL MEMBERS: Thank you.

13 MS. BRIER: Thanks for coming.

14 MR. ROGATO: Can't the Borough  
15 request a copy of the photographs?

16 MR. DOUGHERTY: I just have one  
17 quick question.

18 MS. BRIER: Yeah. Go ahead.

19 MR. DOUGHERTY: You talk about this  
20 process of them, and Rich stood here in January  
21 and told us we have photos, we know what  
22 happened to your property. In my own  
23 experience dealing with Corning and Gigapower,  
24 when they came out to look at the sidewalks,  
25 they said that this one section was damaged,

1           that's all that was damaged. I said, What  
2           about the other section where they lifted the  
3           slab up? Knew nothing about it. Knew nothing  
4           about it. So, I don't know how much  
5           credibility I would put into that process.

6                    MS. BRIER: All right. Well, again,  
7           we could talk to them about that when they  
8           come.

9                    ATTY. PERRY: Did they not have  
10          pictures, Mike, of your property?

11                   MR. DOUGHERTY: Well, I mean, I  
12          talked to Corning who's, I guess, the project  
13          manager.

14                   MS. BRIER: Did they have pictures?

15                   MR. DOUGHERTY: They didn't mention  
16          anything about it, and they had sent two people  
17          out to the property to look at it before I  
18          talked to them.

19                   ATTY. PERRY: Yeah.

20                   MR. LOUGHNEY: Can we ask Corning --  
21          (Inaudible crosstalk.)

22                   MR. DOUGHERTY: They didn't know  
23          anything about the slab that was lifted up.

24                   MR. LOUGHNEY: Mickey or Greg, can  
25          we ask Corning to see Mike's property? We're

1 not talking about everybody's, we're talking  
2 about Mike's.

3 MR. DOUGHERTY: Nibs, but there were  
4 already two people out there.

5 ATTY. PERRY: Yes. Sure.

6 MR. DOUGHERTY: And they're telling  
7 me what was damaged. And I said, Well, wait a  
8 minute, what about the other section where they  
9 lifted the slab up?

10 MR. LOUGHNEY: Right.

11 MR. DOUGHERTY: They didn't know  
12 anything about it.

13 MS. OVEN: What if they didn't take  
14 photos?

15 ATTY. PERRY: Well, then they're the  
16 ones that are going to have a problem.

17 MR. O'MALLEY: I would say with the  
18 arbitrator, right? When they show up at the  
19 arbitrator, where are the pictures? We didn't  
20 take any.

21 ATTY. PERRY: Right.

22 (Inaudible crosstalk.)

23 MS. BRIER: Guys, we can only have  
24 one meeting, okay? We could only have one  
25 meeting here, because everybody's talking at

1           once.

2                    ATTY. PERRY:  Mike, someone ask  
3           that --

4                    MR. DOUGHERTY:  That's my only  
5           point, Mickey.

6                    ATTY. PERRY:  We'll ask them  
7           specifically when we talk to them whether or  
8           not they have pictures of your property from  
9           before.

10                   MS. BRIER:  Yeah.

11                   MR. DOUGHERTY:  Right.  I just found  
12           it --

13                   MS. BRIER:  If they don't, they're  
14           in trouble.

15                   MR. HALLINAN:  Yeah.

16                   MS. BRIER:  Because you could say  
17           everything was wrong.

18                   MR. DOUGHERTY:  No, and it's because  
19           they did stand here and say that.  He stood  
20           here and said, Oh --

21                   ATTY. PERRY:  Yeah.

22                   MR. DOUGHERTY:  Because we asked the  
23           question, How do you know what was damaged?

24                   MS. BRIER:  Yeah.

25                   ATTY. PERRY:  Well, they told us

1           that, too.

2                       MR. DOUGHERTY: Yeah. And I'm just  
3           sharing my own experience.

4                       MS. BRIER: Yeah. Thank you.

5                       ATTY. PERRY: Yeah.

6                       MR. DOUGHERTY: They had no idea.

7                       ALL MEMBERS: Thank you.

8                       MR. SUMMA: I just want to add,  
9           because I asked that question when everything  
10          was damaged in my property, and at that time  
11          they said that the people that were in charge,  
12          the contractors, the subcontractors, they were  
13          in charge of taking the before and after.

14                      MS. BRIER: Of taking the pictures?

15                      MR. SUMMA: Yeah.

16                      MS. BRIER: Okay.

17                      MR. SUMMA: Unfortunately, the guys  
18          that did all my damage are -- who knows where  
19          they are. They were fired that day. And of  
20          course my yard looked horrible in December, by  
21          the way.

22                      MS. BRIER: Well, they're in trouble  
23          then.

24                      MR. SUMMA: Come by in July and it's  
25          a lot nicer.

1 MS. BRIER: Yeah.

2 MR. SUMMA: So, the pictures they  
3 took are a little different than what you'd  
4 see. But I know for a fact, the group that was  
5 on my property, and where Doc's was, as well --

6 ATTY. PERRY: They didn't take  
7 pictures.

8 MR. SUMMA: I know they did -- well,  
9 if they did, they're fired. Who knows where  
10 they're at.

11 ATTY. PERRY: Yeah.

12 MR. SUMMA: But that group was  
13 fired.

14 MR. LOUGHNEY: The best advice to do  
15 is take your own pictures.

16 MR. SUMMA: But we do have our own,  
17 but that's -- I think that we spread that in  
18 the development.

19 ATTY. PERRY: That is good advice,  
20 yeah. Absolutely.

21 MR. SUMMA: But for the most part, I  
22 know that certain groups were supposed to be in  
23 charge of that.

24 MR. DIVIZIO: But no matter who  
25 comes on as a subcontractor, the main



1 contractor is responsible --

2 MS. BRIER: The main contractor,  
3 yeah.

4 MR. DIVIZIO: Okay. They have,  
5 like, the bond, whatever?

6 MS. BRIER: Yeah.

7 MR. DIVIZIO: That main contractor  
8 is --

9 ATTY. PERRY: That's correct.

10 MS. BRIER: Yeah. That's a good  
11 point. Yeah.

12 (Inaudible crosstalk.)

13 MR. DIVIZIO: Well, that's who you  
14 go after.

15 ATTY. PERRY: Right. The bond  
16 covers it if you have a problem.

17 MS. BRIER: Well, thanks everyone.

18 MR. ROGATO: You could also use that  
19 Google Earth that takes the satellite pictures  
20 of your property.

21 MS. BRIER: Greg, do you have  
22 anything tonight?

23 MR. WOLFF: I do not have anything,  
24 no.

25 MS. BRIER: Mickey?

1                   ATTY. PERRY: I have nothing.

2                   MS. BRIER: Mayor, do you have  
3 anything?

4                   MAYOR CONWAY: I'm good. Thank you.

5                   MR. LOUGHNEY: No, I'm good.

6                   MS. BRIER: You're good?

7                   MR. O'MALLEY: I just want to extend  
8 my deepest condolences to the family of Dunmore  
9 High School student Sunny Crotti who passed  
10 away recently. It's such a terrible loss for  
11 our community. That's all I have.

12                   MS. BRIER: Thank you. Yes, I  
13 agree. I just want to thank everyone for  
14 coming again. This is, like, the third or  
15 fourth time we've all been here. I know it's,  
16 you know, taken a lot of time out of your  
17 lives, and it's a terrible situation. We're  
18 doing what we can to alleviate it and we're not  
19 going to walk away from it.

20                   So, we're here with you. We agree  
21 with you. We're doing what we can to alleviate  
22 it to the extent that we are able.

23                   So, thanks again for coming. Please  
24 keep coming back. We love when people are  
25 here. And we'll set that up with the

1 Gigapower.

2 MR. WOLFF: Yeah.

3 MS. BRIER: And AT&T, too, and  
4 Corning. We'd like to have representatives of  
5 all three.

6 MR. WOLFF: Uh-huh.

7 MS. BRIER: Okay. Thanks.

8 MS. OVEN: Is that for our next  
9 meeting?

10 MS. BRIER: That's for our next  
11 meeting.

12 MR. WOLFF: Yeah.

13 MS. BRIER: The 25th.

14 MS. BENEDICT: Is that Easter  
15 Monday?

16 MS. BRIER: That's the 25th.

17 MR. O'MALLEY: No.

18 MS. BRIER: No, that's not. It's  
19 the 25th.

20 MR. O'MALLEY: The week before.

21 MS. BRIER: March 25th. Yeah.

22 MS. OVEN: And I'd just like to echo  
23 what Janet said, thank you everyone for coming.  
24 I hope you realize, you know, we're here to  
25 support you. I feel terrible about what's

1 going on, so I appreciate you taking your time  
2 out of your night.

3 MS. ZANGARDI: I have a couple of  
4 things. I'd like to request a stenographer at  
5 the March 25th meeting. So, if we can get --

6 MS. BRIER: That's a good idea.

7 MS. ZANGARDI: Yeah. Please. Thank  
8 you everyone for coming. We're here for you  
9 and we'll be up there.

10 Greg, if you could take a look and  
11 get a letter out to 618 East Drinker Street to  
12 either clean up the property or demolish it,  
13 please, or sell it.

14 And a big shout out to Mike Brazil,  
15 Katherine Oven and a boatload of volunteers for  
16 we are starting a feral -- we started a feral  
17 cat ordinance and we're doing trap, neutering  
18 and releasing in the Borough. So, if anybody  
19 has feeders, just call the Borough. Everything  
20 is anonymous, you know, just --

21 MS. BRIER: Well, over the weekend  
22 they did 20 cats.

23 MS. ZANGARDI: Yes.

24 MS. BRIER: So, that's about 50  
25 potential kittens.

1 MS. OVEN: I didn't trap them.

2 MS. ZANGARDI: No.

3 MS. OVEN: We had volunteers that  
4 did it.

5 MS. ZANGARDI: Yeah. It was  
6 organized. It was the first one.

7 MS. BRIER: You guys organized it,  
8 though.

9 MS. ZANGARDI: Yeah.

10 MS. BRIER: Beth and Katherine.

11 MS. ZANGARDI: Yeah. And Mike  
12 Brazil was instrumental in it, and there's a  
13 long way to go. There's no cure in sight, but  
14 we're on it. And I just have to give a great  
15 shout out to Katherine. She worked really hard  
16 on it.

17 MS. BRIER: She really did.

18 MS. OVEN: I did the logistics.

19 MS. ZANGARDI: Yeah.

20 MS. OVEN: Lots of volunteers did  
21 all the trapping.

22 MS. ZANGARDI: Volunteers,  
23 especially. Mike Brazil, too.

24 MS. BRIER: She coordinated the  
25 volunteers, she coordinated the vet.

1 MS. OVEN: And Mike Brazil.

2 MS. BRIER: The vet and Mike.

3 MS. ZANGARDI: I'm very sorry to the  
4 Crotti family. That's just straight up tragic  
5 for everybody and it breaks everybody's heart.  
6 But that's all I have. And thank you, again,  
7 everybody. So sorry. Very sorry.

8 MS. BRIER: Tommy.

9 MR. HALLINAN: Thank you all for  
10 coming, and as you could see, we're all trying  
11 to, you know, represent you the best we can,  
12 and we hope everything works out. I know I do.  
13 Nobody here on the Board is really with the  
14 company at all.

15 So, I want to thank Mr. Divizio for  
16 enlightening us on a lot of things that are  
17 very knowledgeable, and as I always said, your  
18 property up there is outstanding. It's one of  
19 the gems of that Swinick area, like everything  
20 there. It's taken care of. It's beautiful.

21 MR. DIVIZIO: (Inaudible crosstalk.)

22 MS. BRIER: Everybody up there.  
23 You're right.

24 MR. HALLINAN: Yeah. And the other  
25 thing I want to talk, and Katherine with the

1 cats, which, you know, we had a lot of fun  
2 with, but --

3 MS. OVEN: At my expense.

4 MR. HALLINAN: -- she took a lot --  
5 yeah. But she took care of it and she's  
6 running forward with it. It's fantastic, you  
7 know, and nobody thinks there's a cat problem  
8 until they're on your property. You go out in  
9 the summer and it's horrible, you know, but  
10 whatever.

11 And, Mr. Salvin, we talked about  
12 that Chestnut Street, especially, before the  
13 meeting, and especially by the Mondo's area  
14 where it's really bad. Now, that whole area is  
15 being done by a grant, and it's being done in  
16 sections.

17 But you're right, it might be four,  
18 five years until we get out to that section.  
19 And my suggestion, and I'm sure everybody here  
20 on Council, we agree to it, is to put down some  
21 kind of, and I hate to say a band aid, because  
22 why would we invest thousands of dollars into  
23 something that we know two years down the road,  
24 three years down the road it's going to be  
25 repaired. So, we just want to put some down,

1           what's called a skin patch, something to make  
2           it travelable, you know, so you're not bouncing  
3           all over the place. Okay? So, that addresses  
4           that.

5                           Happy St. Patrick's Day on Sunday.  
6           I hope you all go out and celebrate safely.  
7           And that's all I have. Thank you.

8                           MS. BRIER: Thanks. Could I have a  
9           motion to adjourn?

10                          MR. O'MALLEY: I'll make that  
11           motion.

12                          MS. BRIER: Second?

13                          MS. OVEN: I'll second.

14                          MS. BRIER: We have a motion and a  
15           second. All those in favor?

16                          ALL MEMBERS: Aye.

17

18                          (Meeting adjourned.)

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