COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:
Monday, August 14, 2017

TIME:
7:00 P.M.

LOCATION:
DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

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

MARIA McCool, RPR
OFFICIAL COURT REPORTER
(Pledge of Allegiance.)

ATTY. CUMMINGS: Mr. Burke. Mrs. Scrimalli.

MS. SCRIMALLI: Present.

ATTY. CUMMINGS: Mr. Verrastro.

MR. VERRASTRO: Present.

ATTY. CUMMINGS: Mr. Amico.

MR. AMICO: Present.

ATTY. CUMMINGS: Mr. Hallinan.

MR. HALLINAN: Present.

ATTY. CUMMINGS: Mr. Dempsey. Mr. McHale.

MR. MCHALE: Here.

ATTY. CUMMINGS: There is an amendment to the agenda for this evening. Items number three and four are being removed. The application is my understanding is withdrawn. Is that correct, Mr. Ruggiero?

MR. RUGGIERO: Yes, it was. At 4:40 this afternoon, I received a phone call from the attorney stating please remove it off the agenda.

ATTY. CUMMINGS: Attorney Bishop, do you have any comments, questions, or
ATTY. BISHOP: Just to confirm that the information I got the same phone call. I didn't know if the borough office was open. I'm here with Mr. Patel here. And we're very happy to see that they have withdrawn the application to move another liquor license into the Borough of Dunmore. Did you get a copy of the letter?

MR. RUGGIERO: I did not get a formal letter.

ATTY. BISHOP: I have a letter from Attorney Anderson --

ATTY. CUMMINGS: Attorney Bishop --

MR. MCHALE: He forwarded that in an e-mail, and I forwarded it to everybody.

ATTY. CUMMINGS: Attorney Bishop, if you would for the court reporter, fully identify yourself and your client.

ATTY. BISHOP: Sure. I'm Richard Bishop. I'm here for the corporation trading as Joe's Six Pack and Mr. Patel is with me. And we just wanted to confirm and the letter is on record electronically that they've withdrawn the intermunicipal transfer request for liquor
license number R-4480, LID number 64767 and completed with an apology for the late notice and any inconvenience it may have caused to anyone.

ATTY. CUMMINGS: Thank you. That matter is now concluded.

MR. MCHALE: Thank you, sir. Tom, quickly, Vito, you told me this afternoon and please follow up that there is a $495 fee that we paid to advertise in the Scranton Times?

MR. RUGGIERO: Somewhere around there, that's correct.

MR. MCHALE: Please have the applicant still pay that.

MR. RUGGIERO: I'll send a letter tomorrow requesting that reimbursement.

ATTY. CUMMINGS: The second amendment to the agenda is item number ten following the presentation from the Chamber of Commerce, Mr. Durkin will have a public hearing on the formation of Parks and Recreation Authority. So the next item will be Mr. Durkin.

MR. DURKIN: Well, good evening, Council members and citizens. This is a great
thing. Every once in a while, you know, you get a chance to stand in front of a great group of people and do nothing but smile. And that is because I'm excited to introduce to you tonight the person who will be one of your newest business residents Joe Fernandez.

First if I can, I appreciate Council giving us a chance to chat here today. If you saw the paper a little over a week ago, the story of SoCafe coming to Dunmore coming to locate at the old silk mill.

I'm proud to say that the Greater Scranton Chamber of Commerce and our Economic Development division, the Scranton Plan have been instrumental in bringing SoCafe here and helping find and ultimately establish a business opportunity at the silk mill.

One of the things that we tried our best to do is to make sure we bring not just jobs to Lackawanna County but quality jobs. And that is the case here. It's a great opportunity for Dunmore. We're talking about upwards of 130, 135 jobs ultimately from a reputable organization.

Part of the process for us is, you
know, we get contacts in very different ways, sometimes from the state, the governor's action team. Sometimes we get it from other local partners. And sometimes the call just sort of comes in serendipitous. And in a way, that is kind of what happened here.

And I shouldn't speak for Joe because he could tell you a better interesting story. But the reason I feel compelled to just offer this to you is, it's important for us that the community know when the Chamber is successful in bringing these jobs in.

Unfortunately, the stories that were printed a week so or ago omitted any reference to the Chamber. And that was a little bit disconcerting on our part given the fact that we were the one instrumental in bringing it here. And the person that did that is Bruce Redic{sic.} Bruce is in the back of the room.

He's one of our economic development specialists with the Chamber and the Scranton Plan. So we're really proud of that. And frankly, there's a part of me that wanted to make sure that the people of Dunmore knew that. It was the Chamber and the Scranton Plan but
also it was this young man who has been working
his tail off to bring jobs into Lackawanna County.

And we had a lot of great successes recently scattered all over from Vandling, Archbald, Jessup, and Scott Township and two other places where we have properties and a few big successes and a few small successes here and there in Scranton and Dunmore.

So I wanted to ask Joe if he wants to come up. Joe Fernandez, the owner and developer of SoCafe. And he's going to be one of your newest residents.

MR. FERNANDEZ: Hi everyone. I just wanted to say thank you to the Council for giving us your attention to the community. We're very excited. This has been a plan in the making for about two years. We came in. We identified this area. This is somewhere we wanted to call home.

And Bruce right off from the Chamber was instrumental at bringing us here both assisting with contacts, everything from contractors all the way to state level officials. So it was really instrumental part
of us forming our decision to come to Dunmore, find a building and ultimately realize what we wanted to do. We're very excited.

Like I said, the plan is to have about 130 jobs by month 36 of our move. We should start 100 percent manufacturing about May of next year. And we're very excited about being here. This is a big transformation for us.

We're moving a business that's 30 plus years in New Jersey to Pennsylvania. We're doing it with a lot of enthusiasm and excitement. It's bitter sweet in a way because I grew up not too far from here actually. But being in New Jersey was just, you know, it was time for us to go. Coming here, there's a lot of manufacturing incentives.

There's a lot of growth. There's a lot of space. It's a very probusiness environment. And for us, it's what we're looking for. So we're very happy to be part of the community. We look forward to talking to anyone and everyone who has questions. We're going to be holding job interviews probably somewhere around December.
We're going to start ramping down in New Jersey and ramping up in Dunmore. So we're going to be looking for a lot of assistance, forklift operators, mechanics, these are all basically manufacturing jobs.

And we look forward to the community coming out and talking to us and hopefully applying. You know, we want to bring in residents from the local area. We want as many people from Dunmore and Lackawanna County to apply for these jobs. So with that I just want to say thank you for everyone's time.

A lot of people here have really contributed to us moving here and really made the area look really appealing for us, not only for my business but for my family as well. This is a big transition for everyone. So I appreciate everyone's time. And I want to say a big thank you to the Borough of Dunmore.

MR. HALLINAN: Thank you.

MS. SCRIMALLI: Thank you.

MR. MCHALE: Thank you.

ATTY. CUMMINGS: Next item will be with reference to item number ten, that being a public hearing on the formation of Parks and
Recreation Authority. So we would suspend the regular business, open a hearing at this time with Council running the hearing.

The Parks and Recreation Authority would be formed under the Pennsylvania Municipal Authority's Act to control and promote both the parks and recreation within the Borough. As you know, we've attained title to Schautz Stadium which is the absolute jewel of the northeast, especially with the work that is planned.

We also have a multitude of facilities here at the McHale Park. And it was the thinking of Council that the Parks and Recreation Authority would be a stand alone body to manage and control those facilities, make sure they prosper, properly maintained and achieve continuity as the authority is a five member panel with one member expiring as far as their term each year so that there is a continuance of the philosophy and the works so you don't have all new members trying to pick up.

It just keeps rolling through the years to the betterment of Dunmore. So, Mr.
McHale, if you would please chair that portion, and address any questions from Council and then the public.

MR. MCHALE: Does anybody have questions in regards to the authority to address to Council tonight?

(No response.)

MR. MCHALE: Anybody on Council with any questions?

(No response.)

MR. MCHALE: Mr. Cummings.

ATTY. CUMMINGS: There being none, you're free to conclude the meeting. That's what's required by the Municipal Authority's Act. They actually conduct a public hearing and you could either act on it at this evening's meeting since it's on the agenda or in Mr. Dempsey's absence, you could continue it to the September meeting which would be within the 30-day period from the hearing date.

MR. MCHALE: I would rather do the later if that is okay with the rest of Council. Both Mr. Burke and Mr. Dempsey couldn't make it this evening. And obviously on an important issue, I would like all the input from all of
Council members. So if we could postpone until September to do the appointments.

ATTY. CUMMINGS: So item number ten will be removed from this evening's agenda, recessed, and continued to the September meeting.

MR. MCHALE: Yes, Tom, please. So we'll conclude the meeting.

ATTY. CUMMINGS: Yes. The hearing is concluded. Reopen the meeting. Number five is public comment on agenda items.

MR. MCHALE: Anybody like to comment on agenda items, there's a separate line item for nonagenda items, but anybody on agenda items tonight like to address Council?

(No response.)

MR. MCHALE: Seeing none.

ATTY. CUMMINGS: Motion to approve the minutes.

MR. MCHALE: I'll look for a motion.

MR. VERRASTRO: I'll make that motion.

MR. MCHALE: Do I have a second?

MR. HALLINAN: I'll second it.

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

(No response.)

MR. MCHALE: All those in favor

signify by saying aye.

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

MR. MCHALE: The ayes have it and so

moved.

ATTY. CUMMINGS: Item number seven

is a motion to approve and pay the open bills.

MS. SCRIMALLI: I'll make that

motion.

MR. VERRASTRO: Second.

MR. MCHALE: I have a motion and a

second. On the question.

(No response.)

MR. MCHALE: All those in favor

signify by saying aye.

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

MR. MCHALE: The ayes have it and so

moved.

ATTY. CUMMINGS: Personnel matters,
number eight, Mr. Hallinan.

MR. HALLINAN: At this time, I'd like to thank all the applicants for our Controller/Treasurer job that interviewed. And it was really a toss-up. Any one of them would have been great.

But at this time, we're going to -- I would like to nominate John Errico as the Treasurer/Controller for the Dunmore Borough.

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

MS. SCRIMALLI: I'll second that.

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

(No response.)

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

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number nine is a motion to approve the acceptance of Dunda Road as an ordained public street per prior
submitted plans.

Some years ago there was a subdivision, which right now you would know it as Five Star. And then there's a construction company behind it. And then I believe Coon Concrete. And there was an AT & T facility. When the original subdivision came before Council for -- some years ago, for some reason, the street was not accepted as an ordained street.

So now they are in a bit of an easement situation. It's my understanding that they -- the corporate headquarters would like to locate there. But one of their preconditions is that it be a public street. The 51 percent of the property owners constitute 51 percent of the front footage or more have acquiesced and requested that we pick up the -- ordaining the street from the prior submission.

And they acknowledge that any additional improvements would be borne by the property owners on a front footage basis, not by the Borough.

MR. MCHALE: I'll look for a motion.
MR. HALLINAN: I'll make that motion.

MS. SCRIMALLI: I'll second that.

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

(No response.)

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

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number 11 is a motion to award the 2017 paving contract for American Asphalt and authorize the Borough Engineer to issue the appropriate notices to proceed.

MR. MCHALE: I'll look for a motion.

MR. AMICO: I'll make that motion.

MR. HALLINAN: I'll second that.

MR. MCHALE: I have a motion and a second. On the question. Mr. Lopatka our Borough engineer is here. Just for the record I think the original estimate was in the
neighborhood of 1.5 million dollars?

MR. LOPATKA: Correct.

MR. MCHALE: The final contract came in a little under a million dollars?

MR. LOPATKA: Yes. I actually you forwarded the agreement --

MR. MCHALE: That's part of that.

MR. LOPATKA: Once you sign that and get that to me I could get this back to the paving company for signature.

MR. MCHALE: We'll do that at the conclusion of the meeting. Thank you, Mr. Lopatka. Anybody else on the question?

(No response.)

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

ALL MEMBERS: Aye.

MR. MCHALE: Opposed?

(No response.)

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

ATTY. CUMMINGS: Item number 12 is a brief presentation by Dave Lopatka, Director of Civil Engineering from Reuther Bowen the Borough Engineer regarding an update to the
Quincy Avenue, Electric Street intersection rehabilitation project the Five Leg Earmark Project.

MR. LOPATKA: I'll be brief. I want to give a little update as to where we are on the project. The majority of the project actually has been designed at this point. John Pfeiffer[sic] from PennDOT Signals Division is actually here also if anybody has questions with regards to that.

I know it will be a little difficult to see. I'll try to do the best I can with regards to explain it a little bit. Just to give you a little background, this is Quincy Avenue coming out of the school -- actually this is Electric Street, Drinker Street, and then Quincy Avenue going over towards Delaware Street.

That's kind of the current condition. Basically what's going to happen, the area you see shaded is an area that we're planning on milling it overlaying it as part of the project. In addition, there's a number of areas where we're actually going to put new handicap ramps, new crosswalks. There will be
new signals going in. So there will be all new mast arms going up. It's hard to see, I guess, from where you guys are at. But there's a bunch of new signals that are going to go in.

In addition to the signals, we're going to add some turning lanes which will help traffic movement coming in and out of the school. In addition, it's kind of a goofy intersection. Most intersections we see are kind of four way, 90 degree. This one is kind of an odd shape.

So it's a little bit difficult to -- it's little challenging to design and to get the traffic to flow the proper way. Basically coming out of the school isn't going to change all that much. You're still going to have two lanes with a, you know, an exit, entrance into the school basically the way they were.

What we're trying to do on Electric Street coming up from Scranton would be to put a turning lane in -- actually two turning lanes, a right turn only lane and a straight and a left turn into the school, same coming down Electric Street.

We'll have actually just one lane
basically the way it is. Coming down Drinker Street we'll add a left turn lane to turn left onto Quincy Avenue. And then we'll have a straight and right-hand turn going into the school.

We're going to widen a portion of each of these streets. There's a section along Electric Street heading into Quincy Avenue that we're actually going to move back slightly. We'll put new curb in along there. We'll put new curb in, a few parking spaces heading into Quincy avenue, all new handicap accessibility.

Some of these ramps and crosswalks are kind of made a little bit to make it a little bit easier instead of everybody coming to one point. We're also moving bumping out a little bit this curb on the end of where the market is just to kind of control traffic a little bit more to kind of keep it -- everybody from just driving all over in that intersection.

So that's basically what the project is. The majority of it is designed at this point. We're coordinating with PennDOT at that point, a little bit more each of us have to do.
I believe the project right now we're looking to probably bid it in January or February with summer work right when everybody gets out of school so that it's not interfering with traffic for the school.

So if anybody has questions or if they want to see a little bit more detail, I have a set of half-scale drawings I would be willing to stick around a little bit afterwards if anybody has questions or I could explain anything more.

MR. HALLINAN: The lights, are they emergency vehicles sensors will be installed?

PENNDOT: That wasn't part of the plan --

MR. HALLINAN: I thought we allocated some money for that. I just want to make sure it's there, okay?

PENNDOT: I don't recall off the top of my head.

MR. MCHALE: You're sitting next to the fire chief.

MR. HALLINAN: Are there going to be sensors in the ground also for --

PENNDOT: Video cameras in case
anything fails in the blacktop, it's easy to repair.


MR. LOPATKA: Anyone else?

MR. MCHALE: Thanks, Dave.

MR. RUGGIERO: Council, just on the question for the record, this Five Leg Earmark Project is the result of a grant that sat dormant for years when some language was changed. Dave and I kind of looked at this grant with help from April Hannon from PennDOT resurrecting the grant. This is the result of that. I believe it's 75/25, Dave?

MR. LOPATKA: Correct.

MR. RUGGIERO: I think 75 percent is $345,000. That will be taken care of by this.

MR. MCHALE: Thank you, Mr. Ruggiero.

ATTY. CUMMINGS: Public comment on nonagenda items starting with Mr. Duncan.

MR. MCHALE: Mr. Duncan, please.

MR. DUNCAN: Gary Duncan, 117 Barton Street. I'll be really quick tonight. I sent out the minutes from the last neighborhood
watch meeting. I hope you all received them.
I know Vince confirmed. I don't know if
anybody else did. We're having a meeting
obviously a week tonight. It will be here at
7:00. And, Chief Marchese, you're here, you
know, if one or two of the officers can join us
that would be appreciated. That's it. Have a
great week everybody. Thank you very much.

MS. SCRIMALLI: Thank you very much.

MR. MCHALE: Anybody like to address
Council please come up and state your name for
the record.

MR. SARDO: Vince Sardo, Dunmore
Local firefighter, Local 860 President. We
just wanted to actually come up and invite
Council, your families, the community to the
first annual charity softball team. It will be
the hotshot charity softball team Dunmore
Police challenges the -- the Dunmore Fire
challenges the Dunmore Police.

This event will take place on
September 17th at 4:30 at Sherwood Park
provided the police show up. So the money that
will be raised we want to actually -- I got
together with Tom Richardson and Chief Marchese
who did a fantastic job with the Night Out to help try to generate money for youth organizations in Dunmore.

So the money will go to the Little League, Biddy Basketball, the cheerleaders, whoever we can help, you know, raise funds for. We're going to do that by possibly selling T-shirts that we're going to sell, do a pass the hat, basket raffles, 50/50 drawings, you know, as we go around.

And so what we're doing is in addition to inviting the community, asking the community and the businesses for some support if they could, there are donations that could be made from the businesses. One would be a bronze sponsorship of $50 and $125 for silver, a gold of 250, and a platinum for 300 and above.

And again, all that money is going to go back to the kids and selling T-shirts and all that type of stuff. We hope to see everybody out there. As far as the residents, if they wanted to donate baskets to help, that would be fantastic as well.

MR. MCHALE: Great idea, Vince.
MR. SARDO: Thank you, guys.

MR. MCHALE: Thank you. Anybody else? Please come up and state your name for the record.

MR. BIANCHI: Joe Bianchi. I'm here since they accepted a grant. I have a question to ask the Borough. Since the fire department was awarded a grant of eight hundred and some thousand, as a citizen I'm a concerned citizen. I want to know why this wasn't voted on or accepted yet when there is only four days left. What is Council going to do?

MR. AMICO: Do you want me to take that?

MR. MCHALE: Yeah.

MR. AMICO: Joe, I made it very clear to your apartment that we're not accepting nor denying this grant.

MR. BIANCHI: That's the answer I figured I was going to get. So in other words, that is another word for saying, no, you're not accepting anything.

MR. AMICO: No, that's not fair. I would like to talk. I spent a lot of time with your chief and with your union going over this.
And I said I made it very clear we need to speak to our attorneys to make sure everything is squared away. I find it unfair that you're coming up here tonight basically accusing of us of not --

MR. BIANCHI: No, I'm not.
MR. AMICO: Yeah, you are.
MR. BIANCHI: I'm asking a simple question.
MR. AMICO: And I'm giving you a simple answer. We're having a meeting tomorrow with our attorney to get this squared away.
MR. BIANCHI: All I'm saying is why are you waiting until the last minute?
MR. AMICO: Because we need to sit down with our attorney.
MR. BIANCHI: Can you tell me how long --
MR. AMICO: I'm not going to discuss the details right now.
MR. BIANCHI: That's what I figured I was going to get. But thank for answering my question.
MR. AMICO: I'm not quite sure what you're looking for.
MR. BIANCHI: I'm just looking for an answer if they were accepting it --

MR. AMICO: We're looking into it.

MR. BIANCHI: It's a lot of money.

MR. AMICO: It is a lot of money. But it's a lot of money on our side too.

MR. BIANCHI: And I understand what you're saying. And as a citizen -- there's going to be a lot of guys leaving in the future.

MR. AMICO: Again, these are all details that we need to sit down and go over.

MR. BIANCHI: I'll wait until next meeting. Thank you.

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

(No response.)

MR. MCHALE: Tom.

ATTY. CUMMINGS: Public officials.

MR. BARTOS: I have a question here. Can I talk?

MR. MCHALE: Please.

MR. BARTOS: Joe Bartos, 110 Sunset Drive. When's the Paving Program starting in Dunmore or is there one?
MR. MCHALE: We just voted on it five minutes ago.

MR. BARTOS: Well, I wasn't here.

MR. MCHALE: That's okay. We literally just voted on it five minutes ago.

MR. BARTOS: And?

MR. MCHALE: The engineers, it's in the engineer's hand. He will deliver it to the company tomorrow. There was a low bidder -- and a couple weeks?

MR. LOPATKA: Probably within two or three weeks.

MR. MCHALE: Two or three weeks it will get started to get done.

MR. BARTOS: Can you tell me the list of roads or are they too long or too short for this hearing?

MR. MCHALE: I don't have them with me. We can provide that if you want to leave your contact --

MR. BARTOS: Potter Street.

MR. HALLINAN: Potter Street is being off of it -- I'm sorry. Mr. Lorince will answer that question.

MR. LORINCE: Potter Street will be
paid by utilities. They will put new services underground. And they will be paving that.

MR. LOPATKA: Water company is actually doing that.

MR. BARTOS: Do you know if they were going to fix Summer Street up? They said two years ago there was a trench down the middle of it, stuff in it. Summer Street up before you get to Smith right at the -- going up the hill. There was -- it's like in the middle of the road. It's like about 3 feet long and a foot wide.

MR. MCHALE: Joe, if that's --

MR. BARTOS: They patched it one time.

MR. MCHALE: Joe, if that's on the list, can you please go up there tomorrow and see what he's speaking of?

MR. LORINCE: Sure.

MR. MCHALE: At minimum, we'll take a look at it tomorrow. I don't know if it's on the list or not. I don't think it is.

MR. BARTOS: Okay. That's all.

Thank you.

MR. MCHALE: Thank you, sir. Tom,
public officials.

ATTY. CUMMINGS: Public officials.

MR. MCHALE: Mr. Ruggiero, do you have anything tonight?

MR. RUGGIERO: No.

MR. MCHALE: Mr. Kearney?

MR. KEARNEY: Yeah, I would like to thank Council for all the support for our Summer Program. We wrapped it up last week. We had a final all parks day here. We had over 100 kids. We had pizza, ice cream, a bunch of games, art activities.

The whole summer went really well. And I want to thank all of you, especially Mr. Hallinan. He was my contact guy with all the pizza shops in Dunmore. That was a big help.

MR. HALLINAN: Pick on the fat guy.

MR. MCHALE: That's it, Chris?

MR. KEARNEY: Yeah.

MR. MCHALE: Mr. Judge, do you have anything?

MR. JUDGE: No.

MR. MCHALE: Chief Marchese.

CHIEF MARCHESE: No.
MR. MCHALE: Mr. Taylor, back there, no?

MR. TAYLOR: No.

MR. MCHALE: Chief DeNaples, I'm sorry.

CHIEF DENAPLES: I have one thing that I would like to ask Council to revisit. About a year or so ago we had a little bit of an issue going up East Drinker Street right in the area with the farmer's market with the crosswalk signs.

So what we did was, I went over to Joe. Joe actually had this -- they were doing good with it for a while. At the end of the farmer's market they removed it and put it on the sidewalk. And in the morning before the vendors get there, they put them back out.

When there's cars parked on the side there it makes it pretty difficult for fire apparatus to pass through there. I'm not sure if that's something that needs to be voted on by Council. I'm not sure if that's why it stopped.

But I was behind a triaxial dump truck coming down East Drinker Street the other
day. It was during the week. The farmer's market wasn't going on. And it kicked one up and a motorcycle was coming up the other way. It literally missed it by probably about a foot.

So I pulled over and I put it back in place so it wasn't laying in the middle of the road. I was just wondering if that's something we can look at potentially doing again. I know they're absolutely necessary when that is going on for the safety of the people attending that.

But if we can look at possibly doing what we used to do moving to them to the side and then putting them back.

MR. MCHALE: Tom?

MR. HALLINAN: Yeah, I don't think that should be a problem at all. That's no problem.

MR. MCHALE: Yeah, it's tight even in a SUV.

CHIEF DENAPLES: It's not too bad when there's not cars parked on the side. When there's cars parked, it makes it's really difficult.
MR. HALLINAN: And the market probably going to be -- it has three weeks left.

CHIEF DENAPLES: No problem. Like I said, they are definitely necessary when that is going on there just to slow traffic down.

MR. MCHALE: Anything else, Chief?

CHIEF DENAPLES: That's it.

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

MR. AMICO: I have nothing tonight. Thank you.

MR. MCHALE: Mr. Hallinan.

MR. HALLINAN: I think it was a great thing the police versus the firemen. I would probably be on the police side, but if you guys need an umpire, I'm sure we can get some guys that -- I can't guarantee you the outcome of the score.

That's really nice that you guys are doing this. And SoCafe, thank you for picking Dunmore. I'm sure Mr. McHale will have a few other words to tell you about the project behind your place. And thank you for choosing Dunmore to relocate to, really appreciate it.
Thank you.

MR. MCHALE: Mrs. Scrimalli.

MS. SCRIMALLI: Yes, thank you. I would like to just applaud Tom Richardson and the police department and the fire department for the wonderful Night Out. It was fantastic, great job, exciting, well organized and fun.

I also want to remind all that Sherwood Park is having the Dunmore Summer Festival that is slated for Thursday, Friday, and Saturday. So if you would like to come to that we would love to see you there.

And for SoCafe, I'm very excited. And thank you Mr. Fernandez for choosing us. And thank you for the Scranton Chamber for doing the hard work that you did to bring them here. And that's all I have tonight. Thank you.

MR. MCHALE: Mr. Verrastro.

MR. VERRASTRO: I have nothing tonight. Thank you.

ATTY. CUMMINGS: Thank you. First and foremost, the Night Out I would like to compliment the Chief and Officer Richardson and the police department. I've attended quite a
few of them both this year and prior years. And I'll tell you by population and community spirit, we're ahead of the pack. And I appreciate Mr. Caines from Olyphant letting me ride in the back of his fire truck.

The Dunmore fire trucks were full by the time I got there. But it was an awful lot of fun. And really the fireworks, the people having hot dogs and hamburgs and seeing the kids having a great time, I really think it's wonderful. You should be really proud of yourselves.

The second item, Mr. Ruggiero received two requests one from Councilman Burke and one from a lawyer in Philadelphia. The attorney in Philadelphia wanted to know why a Dunmore lawyer was involved in the Sewer Authority deal. And I will answer that first. Cummings Law has over 30 years of experience in Sewer Authority matters.

I served personally as Dunmore's representative on the Sewer Authority for five years from 2005 until 2010. I will tell you when I went on, it was a disaster. Work had not been completed. The ten year plan that the
EPA hand mandated hadn't even started. And it was in the ninth year, had not even started. And so luckily, Gene Barrett -- Mr. Barrett was put in as executive director and we made great progress in those years as far as coming into compliance with the EPA demands, coming into compliance with DEP demands and addressing some really hazardous situations at the plant.

My very first meeting I noted that there was the electrical room control panel, which the fire department would be well aware of was listed as critical hazard and unsafe. If you recall some years ago at Montage, an electrical panel of that nature exploded, nearly killed the one guy.

And the heat is so intense it melted his hardhat to his glasses and his cheek. And so immediately at that meeting caused an emergency situation be declared and had that remedied. There were problems like that going back to 1968 that hadn't been addressed. So that was my experience, you know, 30 years with Sewer Authority work, etc.

So when Mr. McHale took over Chairmanship, I was asked to come on basically
to monitor the situation of the sale because of the years of experience and having sat as a board member. So that's why a lawyer from Dunmore was involved.

And as far as Mr. Burke's request issued through Mr. Ruggiero, which he was -- I don't know if you want to ask me from the floor, but he wanted to know what I worked on, what was this itemization of the fees I charged. And it's fairly easy. It was the entire agreement and all aspects of the agreement.

And it was daily, literally daily, seven days a week contact with the other attorneys, with Pennsylvania American Water's attorneys and representatives, with the union, and with the administration of the Sewer Authority as well as the Sewer Authority Board.

In looking through my calendar, the single day in 2016 that I was not actively involved in reading documents, contacting people via e-mail and responding to situations was literally Christmas Day, the only day. We worked Good Friday. And my mother would come out of the grave and slap me for that.
But we worked Good Friday, Holy Saturday, Easter Sunday, my birthday, 4th of July because it was 195 gross dollars, 195 million gross dollars, tremendously important to everybody in the community and everybody that uses the service. So it was the sale in general.

There was the memorandum of understanding for the sale. There was the EPA guidelines. There was the purchase agreement, side agreements for the consultant that I successfully reduced their fee. There was Penn Vest. There was the union contract where we insisted and were successful in making sure that every employee from Dunmore and from Scranton transferred over to the water company at like or better wage.

And then we even got them a thousand dollar bonus for the inconvenience because we realized it's easy to say, oh, everything's going to be the same. But when a guy goes home or a women goes home to his family and the spouse and the kids want to know are we okay, that creates a great deal of stress and a great deal of uncertainty.
And so there was an additional thousand dollars to help compensate them for that. And I'll tell you, they are better off financially employmentwise than they were with the Authority. So that's what the time was spent on.

At inception in 2015 it was itemized as far as subjects. But then going forward I think from July through January, it was simply the entire global agreement. And those that approved the bills were working hand-in-hand with me and the other attorneys. So they well knew everything that was going on. It wasn't as though I was reporting to them at the end of the month with a bill.

As a matter of fact, I billed monthly. I didn't send the bills in until towards the end to make sure that the sale was going through. And it was also this question of, gee, it's a 195 million dollars why didn't we get it all. Well, we did because it had been set as a benchmark.

So on the date that the agreement was offered for bids, there was 30 million dollars in the bank. So to everybody in
parity, we would consider that you're buying everything including our cash. Now, the cash was subject to a commission. And I successfully argued that that commission should be removed because we're selling cash for cash.

There was also contracts in progress. There was the Von Storch project. There was a project down near the Lackawanna Avenue and the Lackawanna River. And when they bid to purchase the Sewer Authority, they knew that these contracts were in place. And they knew they were ongoing.

So there was an additional decrease in cash and increase in debt because we were paying for these throughout the course of the 18 months as we had to. So everybody that looked at it in 2014, 2015, was looking at the same piece of paper. And that's how we derived the gross figure of 195 subject to the adjustments.

Then during the course of the year, it was found that some easements were just never reported. And so if you have the ability to condemn, you don't have the ability to take by statute of limitations, 21 years, adverse
possession. So there's I think 12 million
dollars in escrow to resolve the question, the
easements. So that came off 195. There's also
a trueing up. There was a date and moment
certain at the water company offices between
Christmas and New Years.

And there were probably 14 to 18
water company attorneys in the room. It was
probably this big, all monitoring everything so
that the EPA had approved, Penn Vest was
satisfied. The notes and bonds were paid off.
But it was a flux situation because we're still
operating the plant. We're still billing
people. People are still paying.

We don't know what's coming in the
mail that day. So there was also set aside for
trueing up. We said, here are the balances on
this date. And if more comes in, then at the
end of the 18 months, we'll get the true-up
money. If less came in and it was represented
and agreed to by the parties, then the true-up
money would go to water company.

It's just fundamental fairness like
an escrow at a real estate closing that, yes,
we're going pay the taxes and we'll put this
money aside. And when we prove the taxes are
paid, we'll get that money back.

So the -- I will tell you -- and I
said this to Mr. McHale without equivocation,
you make these decisions and you do this work
and people throw rocks, what do you do? I'll
tell you exactly what I do. I come down in the
morning. I look at my children. And if what I
did is in their benefit -- and now I have
grandchildren thank God -- and my
grandchildren's benefit, if it's good for them.

But I go a step further. Come down
to the Summer Program one day lucky enough to
bring pizza down. And I look at these kids.
If I could look at them and say I earned every
dollar and you got great value for your money,
then I'm okay. I really don't care what other
people think.

I know that I did the right job for
the 50 years of people that paid into the
system, my grandmother, my mother, my father,
they're all dead and gone. They all paid into
the system. And so not just that we did right
by people that created a net of a 160 million
dollars in value, but also for the next 50
years, that 160 million dollars in value, right now 17 and a half million of the Borough of Dunmore that they will benefit from that hard work. Okay, so there is no money missing. 

There's no secret deals. There's no laptops that need to be destroyed. There is none of that nonsense. It was tremendously difficult -- 195 million dollars, okay? And the water company's job, okay, because they have ratepayers and they have shareholders, their job is to scoop as much back to their side of the table as they can.

My job and the other attorneys' job and Mr. Barrett's job and the board's job was to make sure that all the money that was rightfully ours stayed on our side. And that's what we did. So on a dollar-to-dollar transaction, everybody made out quite well as far as the ratepayer, the taxpayers. 

And the money is now 17 million dollar plus whatever else comes in when the lien is resolved in the hands of the Borough of Dunmore and not just being, you know, being wasted. We're not just going out on a spending spree. It's being sequestered. And you have
things like Schautz Memorial Stadium, which
will afford lacrosse and soccer to the children
of Dunmore and I would imagine from East
Scranton and Lackawanna College teams will have
a place.

So right now, there's a lot of kids
that like soccer but there is no field for them
to play on. There's a lot of high school kids
that might go to college for free with
scholarships but we don't have a program.

Lacrosse is nationwide except for Dunmore.

We should have a lacrosse team.

Dunmore High School should have a place where
they could go and play, not just for the
physical activity and comradery and the
learning experience, but believe me, having put
four kids through college and different people
are paying tuition now, it's 50, 60,000 a year
at the University of Scranton.

If we can promote sports activities
beyond football and baseball and include
lacrosse and soccer, that opens up an entire
nationwide circuit of money for our kids to
succeed. That's what Council is wisely saving
the money for and properly spending it.
So that's what I did for 18 months. And I'm very proud of it. And I will also tell you, that's the last I'm talking about it. Thank you.

UNIDENTIFIED MAN: Are we permitted to ask a question?

MR. MCHALE: No, we're past that. I apologize. Thank you, Mr. Cummings. I don't know how to follow that up. But, Mr. Fernandez, I wanted to again thank you for putting the trust in this area, specifically Dunmore. Mr. Cummings alluded to it. Schautz Stadium we've acquired from Mr. Schautz who I'm sure you've met. It was a jewel of our area, has the potential to be that again. We're very, very excited to do so.

And we're going to be good neighbors to you we promise and love you to be involved in any way you can. We're going to open it up. And as Mr. Cummings alluded, try to get the youth in there for soccer, baseball. It was traditionally a baseball stadium, but put in a playground.

We have a lot of big plans. We're scraping every nonprofit foundation, all of our
representatives trying to get some money to finish it up in short order. But we're really looking forward to it and being great neighbors to you and couldn't be more excited to have you in town. So thank you again.

MR. FERNANDEZ: You know in keeping with the history of the stadium and we are happy to participate. I wanted to stop for a second. And everyone here is saying thank you to us. I wanted to say thank you to everyone here because every step of this process was graciously helping us to find a new home.

And it's amazing. This is so different than what we had run into in the past and having someone welcome us into their community is miles beyond what we're used to. So we really want to thank the community and you guys and everybody involved in this project. It's been great. We look forward to creating jobs and being a part of this community.

MR. MCHALE: We look forward to having you. And finally to the National Night Out guys, Mr. Richardson, Chief, and all you guys, I was out of town on business. I did get
home to hear the fireworks that felt like they were above my house. But my kids couldn't stop talking about it.

They said it was best they've ever done. So thank you, all you guys. The fire department, Vince, whoever came up with that softball idea just to go and watch you guys will be fun to do. So any way we can help out, I personally will help out with what I can and just a great idea and another commitment to the youth of Dunmore that we couldn't be more happy to support. So thank you again. With that, I'll look for a motion to adjourn.

MS. SCRIMALLI: I'll make that motion.

MR. VERRASTRO: Second.

MR. MCHALE: All those in favor?

ALL MEMBERS: Aye.

MR. MCHALE: We're adjourned. Thank you.
CERTIFICATE

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

Maria McCool, RPR
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