COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Monday, August 10th, 2020

TIME:
7:00 P.M.

LOCATION:
DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

COUNCIL MEMBERS:
MICHAEL DEMPSEY, President - absent
THOMAS HALLINAN, Vice President
CAROL SCRIMALLI - absent
VINCE AMICO
JANET BRIER
ELIZABETH ZANGARDI
MICHAEL P. PERRY, Esquire, Solicitor
TIMOTHY BURKE, Mayor
VITO RUGGIERO, Borough Manager

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

MR. RUGGIERO: Mr. Dempsey. Mrs. Scrimalli. Mrs. McDonald Zangardi.

MS. ZANGARDI: Here.

MR. RUGGIERO: Mr. Ehnot.

MR. EHNOT: Here.

MR. RUGGIERO: Mr. Hallinan.

MR. HALLINAN: Present.

MR. RUGGIERO: Mr. Amico.

MR. AMICO: Here.

MR. RUGGIERO: Mrs. Brier.

MS. BRIER: Here.

MR. RUGGIERO: Mayor Burke.

MAYOR BURKE: Here.

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

MR. HALLINAN: Anybody want to make any public comment on agenda items only? Seeing none. We'll move on.

MR. RUGGIERO: Number four is a motion to approve the minutes.

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

MS. BRIER: I'll make it.
MR. HALLINAN: I need a second.

MR. AMICO: I'll second.

MR. HALLINAN: All in favor?

ALL MEMBERS: Aye.

MR. HALLINAN: On the question, I'm sorry.

(No response.)

MR. HALLINAN: All in favor?

ALL MEMBERS: Aye.

MR. HALLINAN: Those opposed?

(No response.)

MR. HALLINAN: None.

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

MR. HALLINAN: I'll look for a motion, please.

MS. ZANGARDI: I'll make that motion.

MR. HALLINAN: A second?

MR. EHNOT: Second.

MR. HALLINAN: On the question?

MR. AMICO: Yeah, I was wondering what Bucktown Truck --

MR. BURTON: Bills to pay for DPW trucks, maintenance issues. It's maintenance
for several different invoices. The biggest one was the DPW trucks.

THE REPORTER: Vince, what was it?

MR. AMICO: Bucktown Trucks Sales and Service.

MR. HALLINAN: I have a motion and a second. On the question? Any other questions?

MS. BRIER: I just have one. The $22,000 for Norris Sales --

MR. BURTON: That is the repair for the Bunker Hill bridge.

MS. BRIER: Oh, okay --

MR. HALLINAN: Mark, would you please address Maria so she knows who you are? When you're speaking, just say -- this is our Treasurer Mark Burton. Mark, she needs it for the official record.

MR. BURTON: There's -- water barriers for the Bunker Hill Bridge.

MR. HALLINAN: Pull your chair up closer in case there's any more questions, okay? All in favor?

ALL MEMBERS: Aye.

MR. HALLINAN: Against?

(No response.)
MR. HALLINAN: Unanimous.

MR. RUGGIERO: Number six is the Treasurer and Financial report, Mr. Burton? So you're coming up anyway.

MR. HALLINAN: There you go.

MR. BURTON: Good evening, Council. In the back we have a detailed report on the Profit and Loss through --

MR. HALLINAN: You have to talk louder.

MR. BURTON: -- through July and it's a comparison of last years' numbers compared to this years' numbers. At first glance it may look like we're in really good shape as far as last year.

But there's also some underlying extraordinary items that were on last year's numbers and weren't on this. The TAN payment, our TAN. And, of course, the capital expenditures that we made for last year. And then years' budget we did get a portion of the TAN which was -- paid down the MMO from the prior year.

Long story short, it may look as if we're 299,000 ahead of last year, but in
actuality, we're about $94,000 behind. That could be attributed to several different factors.

I think the most -- the one that sticks out the most is the decrease in the landfill revenue. That's about $150,000 off than it was the prior year. And other than that, bills are up-to-date. The debt service is up-to-date. 2020 TAN is paid in full.

We'll continue to monitor collections as far as the COVID, the impact that that's going to have. Berkheimer in our package as well determined that we may possibly lose 30 thousand dollars per month because of COVID lack of collections from the virus, not people not working. We'll keep an eye on that for the most part.

MS. BRIER: I have a question about that. This is in our packet. Is this new information or is this the same information?

MR. RUGGIERO: That's the same information.

MS. BRIER: They said you would get an update.

MR. RUGGIERO: No, that's the same
one. I did -- they're in everybody's packet.

    MS. BRIER: Okay. In this document we would get an update but --

    MR. BURTON: We just didn't get it because the quarter was closed out for June.

    MS. BRIER: Okay (inaudible.)

    MR. BURTON: We just didn't get it. I would imagine we would see something in the near future. But again, in summary we're not doing great. We're not doing terrible. We're kind of like right in the middle. We're paying our bills, making payroll. So I guess we're probably in better circumstances than other boroughs.

    MR. AMICO: Are you saying we're down on our revenue from Keystone?

    MS. BRIER: Yeah.

    MR. HALLINAN: How can that be?

    MR. BURTON: I guess that was due to the new contract.

    MS. BRIER: They didn't --

    MR. RUGGIERO: The tonnage is down per quarter.

    MR. AMICO: Okay.

    MR. BURTON: It's approximately
$150,000 from this time last year to this time this year. But again, we're paying bills. We're making payroll. We'll continue to monitor the situation.

MR. HALLINAN: Anybody have any questions for Mark? Thank you, Mark. Have a good day.

MR. RUGGIERO: Number seven is public comment starting with Mr. Duncan from the Dunmore Neighborhood Watch.

MR. DUNCAN: Nice crowd tonight, 117 Barton Street. I only have two questions for tonight. My mask keeps slipping, sorry about that. Dunmore Neighborhood Watch, people that -- when we were stilling have live-time meetings, believe it or not I still get questions from time to time if and when we could ever have an in-person neighborhood watch.

I talked to Chris Kearney at one point. And I know other than Head Start we had the Planning Commission meeting here and obviously the last Council meeting. Any policy or anything in place when I could tell them maybe September, October we can have a
live-time meeting or, you know, whatever --
and, you know, I understand the CDC guidelines.

MR. HALLINAN: I think Vito could probably look into that and we'll get you an answer for that, okay?

MR. RUGGIERO: If I heard you, and I apologize, about having a meeting?

MR. DUNCAN: Yeah, a Dunmore Neighborhood Watch meeting live-time.

MR. RUGGIERO: What we ask -- what I asked the seniors was to submit a plan for Council to review and okay, i.e., social distancing, how you're going to monitor that, so on and so forth. So that's kind of what we're looking for and I asked Head Start --

MR. DUNCAN: Do you want me to submit something to you formally in writing?

MR. RUGGIERO: Yes, please.

MR. DUNCAN: I will.

MR. RUGGIERO: And then I asked Head Start for the same thing so at least we have it all documented. Council gets to review it and then approve what they're going to do.

MR. DUNCAN: All right. Maybe I'll send you something tomorrow. And if it's a
no-go, we get that too. You know, but a couple people said when will we have a live one. It's like a council meeting. It's a big difference face to face, you know? Okay. Thanks a lot for that.

And the other thing is, Miss Zangardi. Miss Zangardi, I'll ask you. I know there was a thing in the paper today about the Sewer Authority. It looked like an August 26th timeline. I know things have been fluctuating. Did Mr. Shrive ever get back to us from the Sewer Authority? I know you've been talking to him.

MS. ZANGARDI: I did talk to him last week and he did mention that there was going to be that article in the paper but we're still ongoing because of the -- it's going to proceed as it is because of the 36 open --

MR. DUNCAN: Yeah, the article in the paper still looks like -- it's been looking a little better --

MS. BRIER: Did you find out of those 36 people that didn't sign, if any of them were in Dunmore?

MR. DUNCAN: Yeah, there were I
believe there was two or three from Dunmore. I think it was only two or three from Dunmore because I used to go to the Sewer Authority meetings.

MS. BRIER: No, there was like 60.

MR. DUNCAN: Prior to the pandemic I thought they said (inaudible.)

MS. BRIER: That's not true.

MS. ZANGARDI: I can't really hear you that well. A few that I think out of the 36 that are left open, I think they're Wheeler Avenue, smaller ones. But I think there are larger businesses. Is that what you're asking Janet?

MS. BRIER: Yeah, when you first got on the Board, I asked you how many were from Dunmore that were, you know, and you said that when you looked at the list you said there was around 60?

MS. ZANGARDI: Originally?

MS. BRIER: Yeah.

MS. ZANGARDI: Probably around 60 that are left open for Dunmore.

MS. BRIER: From Dunmore. So now we're down to 36 people who didn't sign
(inaudible.)

MS. ZANGARDI: I will look into that. I'll get an answer but I don't have a definite answer.

MR. DUNCAN: Yeah, that's really it. Thank you. I just wanted to know where we're at with that because we've been bouncing around like a basketball.

MS. ZANGARDI: Right.

MR. HALLINAN: Thank you.

MS. ZANGARDI: I'll let everybody know.

MR. RUGGIERO: Public officials.

MR. HALLINAN: Public officials, Mayor Burke, do you have any anything?

MAYOR BURKE: Yes, just a recap on the Jake brake situation. I talked to Tommy. I talked to Vito and Joe Talutto and what we were looking for the first time, which I didn't see was going uphill speeding the neighbors complained to me.

We have an ordinance written up from south and north of Scranton to the tank. And Vito is looking for some guidance on what to do and needs Council's permission to get these
specs and work with Joe Talutto on either putting the ones up there that were approved and I'm asking Council if we can ask Joe Talutto for the same thing going north to south after we found that the people are speeding up the road too on the same street which they shouldn't be speeding anyway with that kind truck.

But that's what we found out they were using the Jake Brakes also. We didn't think it was a worry at first because it's all downhill. When I used the Jake brake, I used it going downhill or in an emergency situation. But obviously we have people breaking the speed limit.

They use it going uphill which we noticed a couple weeks ago. So I'm just asking if Council gives Vito permission to talk to Joe Talutto and get up the signs now, it was already approved by Council and Joe Talutto and if we can have an amendment to get in contact with PennDOT and ask for the same thing going south to north -- I mean north to south.

MR. HALLINAN: If I -- Micky, can we just amend the amendment or do we have to do a
whole other amendment -- another ordinance.

    ATTY. PERRY: You have to pass a new amended ordinance.

    MR. HALLINAN: We have to do south to northbound?

    MR. RUGGIERO: And it's got to go -- it's got to be advertised.

    ATTY. PERRY: Same process.

    MR. RUGGIERO: Same process. I guess on the question, if we implemented the signs from the ordinance that we passed and if Council so chooses to go the other way, would it be an addendum to the existing ordinance if we would have to advertise or should the whole thing be stopped until --

    ATTY. PERRY: You passed the ordinance. So it's in effect.

    MR. RUGGIERO: Right.

    ATTY. PERRY: So you'd have to rescind --

    MR. RUGGIERO: Oh, rescind the first one and then redo the second one.

    ATTY. PERRY: Same process.

    MAYOR BURKE: So it's my understanding, Mick, so we cannot use this
first ordinance then?

ATTY. PERRY: I'm sorry, Tim?

MAYOR BURKE: I'm sorry. We cannot use this first ordinance that Council approved --

ATTY. PERRY: Sure you can.

MR. RUGGIERO: Yeah, you can use that one. We can't just go the opposite -- the other way like you were suggesting.

MAYOR BURKE: We can never do that again is that what you're suggesting?

ATTY. PERRY: No, you would need a --

MAYOR BURKE: Because I didn't suggest that.

ATTY. PERRY: You would need a new ordinance.

MR. RUGGIERO: You would need a new ordinance to go --

MAYOR BURKE: That's what I'm asking Council tonight to make a new ordinance going the opposite direction and I'm asking Vito to talk to Council ask if he could start putting up the signs we already got approved for.

MR. RUGGIERO: But my question I
guess to the Solicitor is if Council is going
to choose to do a new ordinance like you're
asking, the signs that I'm putting up will be
frivolous because that first ordinance has to
be rescinded and then a new ordinance has to be
implemented with both sides. Is that how I'm
understanding it?

ATTY. PERRY: No, you wouldn't have
to rescind the ordinance. But you would have
to pass a new ordinance.

MR. RUGGIERO: To amend the first
one.

ATTY. PERRY: You wouldn't
necessarily have to amend it. It could just be
a new ordinance for the opposite direction.
You could put the signs up.

MAYOR BURKE: That's all I was
asking.

MR. RUGGIERO: I'll get the signs
made and we'll put them up.

MAYOR BURKE: Okay, so I could tell
the neighbors that --

ATTY. PERRY: Yeah, that ordinance
was passed. You could put the signs --

MAYOR BURKE: Right. That's what I
figured. I'm not a lawyer but I figured I had

to get Vito to talk to --

ATTY. PERRY: You just have to pass

a new ordinance if you want to travel in the

opposition direction to be prohibited from

using the Jake brake.

MAYOR BURKE: Right. Okay. So I'm

asking Council if they would consider doing it

in the opposite direction -- the same thing

that we had done and approved already.

MR. HALLINAN: I think we have to

take that under consideration right now. I
don't think we could vote on that now, Mick,
could we?

ATTY. PERRY: No, you can't.

MR. HALLINAN: No. No.

ATTY. PERRY: You can't vote now.

You have to advertise.

MR. HALLINAN: Thank you.

MAYOR BURKE: No, I was asking

consider doing it. That's all.

MS. BRIER: We could advertise it,

right?

MAYOR BURKE: Yeah, I'm asking for

Council to advertise. And it's the same
ordinance on the same street, the same distance
one to the other --

THE REPORTER: Tim, I can't hear
you.

MAYOR BURKE: I'm sorry. What I'm
asking if Council will --

MR. HALLINAN: I don't think we
should vote on this right now. I think we got
to -- we'll let Micky kind of get back to us
and tell us the whole routine. It's just not
as simple as you're making it out to me. We
might have to rescind. We might have to
advertise. We might have to do things the
right way to do it right, okay?

MAYOR BURKE: That's what I'm
asking.

MR. HALLINAN: So I don't -- yeah.

MAYOR BURKE: Micky just explained
the right way. And I'm just asking can we do
that.

MR. HALLINAN: I don't think anybody
has a problem considering it. But I don't
think anybody is going to vote on to do it	onight, if I'm right. Right, Mick?

ATTY. PERRY: No, you can't.
MR. HALLINAN: You can't. We can't vote on it, okay? Do you have anything else, Mayor?

MAYOR BURKE: No -- the police report on the ATV since it's been brought up about that ordinance, they told me on each shift has told me it seems that it's gone down traffic-wise with the ATVs. So either they're taking them on trucks or they're going to different routes or different places.

We still obviously have the problem. But the police -- all three shifts told me that they seen a decrease from ATVs on our streets since this ordinance Dunmore passed. So that's a good thing.

MR. HALLINAN: Yes.

MAYOR BURKE: And then I want to thank Council for passing this Jake brake ordinance too. And that's all I have tonight. Thank you.

MR. HALLINAN: Thank you, Mayor. Didge, do you have anything this evening?

MR. JUDGE: No.

MR. HALLINAN: Janet?

MS. BRIER: I'm good.
MR. HALLINAN: Vince?

MR. AMICO: I'm good tonight.

MR. HALLINAN: Vito?

MR. RUGGIERO: Nothing.

MR. HALLINAN: Mr. Perry?

ATTY. PERRY: I have nothing.

MR. HALLINAN: Beth?

MS. ZANGARDI: I'm good.

MR. HALLINAN: Mr. Ehnot.

MR. EHNOT: I'm good. Thank you.

MR. HALLINAN: I would like to thank Mr. Duncan for coming out tonight and Mr. Zangardi. I'll look for a motion to adjourn.

MR. EHNOT: Make a motion.

MS. ZANGARDI: I'll second.

MR. HALLINAN: All in favor.

ALL MEMBERS: Aye.

MR. HALLINAN: Good night. Thank you for coming.
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
Official Court Reporter

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