MARIA McCOOL, RPR
OFFICIAL COURT REPORTER

-	
	2
1	(Pledge of Allegiance.)
2	
3	ATTY. CUMMINGS: Mrs. Scrimalli.
4	MS. SCRIMALLI: Present.
5	ATTY. CUMMINGS: Mr. Burke.
6	Mr. Verrastro.
7	MR. VERRASTRO: Present.
8	ATTY. CUMMINGS: Mr. Amico.
9	MR. AMICO: Present.
10	ATTY. CUMMINGS: Mr. Hallinan.
11	MR. HALLINAN: Here.
12	ATTY. CUMMINGS: Mr. Dempsey.
13	MR. DEMPSEY: Here.
14	ATTY. CUMMINGS: Mr. McHale.
15	MR. MCHALE: Here.
16	ATTY. CUMMINGS: Public comment on
17	agenda items.
18	MR. MCHALE: Anybody like to address
19	any agenda items tonight?
20	(No response.)
21	MR. MCHALE: Seeing none.
22	ATTY. CUMMINGS: Number four is
23	personnel matters.
24	MR. MCHALE: Do we have any
25	personnel matters tonight?

(No response.)

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MR. MCHALE: I don't think so. Seeing none.

ATTY. CUMMINGS: Number five is a motion to approve the preliminary 2017 budget as submitted.

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

MS. SCRIMALLI: I'll make that

motion.

MR. DEMPSEY: I'll second it.

MR. MCHALE: I have a motion and a On the question. Just quickly on the second. question, this is our first reading of the budget. We have to do two. So we have two weeks to finalize. We are finalizing some numbers. Considerable amount of work went into this by Council.

As you could see on the summary that is provided, we are not looking at any raise of taxes keeping them at 44 mills. And our revenues just to give you an idea where we stood on the budget, our revenues are in line where they were last year. And they're actually very conservative as to where they are going to come in as looked at towards the 2016

actual.

And our expenses are -- I don't want to say on the high end, but we did kind of a worse case scenario just to make sure that everything is covered. We are working on some items specifically health care. Mike is working on a lot of the insurances.

Our constants are our payroll, our As those who were here last time, our debt it was refinanced. We were trying to refinance before the end of the year. A good portion of our debt that is not reflected yet because we have not completed it as of yet and got Pennsylvania approval.

So when that is, hopefully within the next two weeks we will change the budget to show those savings as well. But outside of that, like I said, the payroll and the debt as they stand are probably 80, 85 percent of the budget. And then we beat the crap out of the rest of the 15, 20 percent as we continue to do.

So right now we're looking at a surplus, you know, conservatively saying about \$100,000 surplus that we'll work on to get even

1 2

3

4

5

6

7

8 9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

better and to make sure that we, you know, we go in on a position note into 2017 and hopefully check off a couple boxes that we have been trying to check off for years, doing some paving.

We continue to help our parks. We put a lot of money into infrastructure, whether it be a million dollar fire truck and a new firehouse, all five or six police cars in the past year.

We've revamped our DPW with five, six new trucks, three new packers which were about \$600,000 combined. So we're in good shape there. We got a new backhoe up there. So equipmentwise, we've revamped something that needed to be done for the last ten years.

Capital expenditures we don't see a huge one next year. But, you know, I think everybody here wants to do a wish list specifically doing some paving that is sorely overdue. I think that's it. Anybody else on the question?

(No response.)

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

ALL MEMBERS: Aye.

1 MR. MCHALE: Opposed? 2 (No response.) 3 MR. MCHALE: The ayes have it and so 4 moved. ATTY. CUMMINGS: Public comment on 5 nonagenda items. 6 7 MR. MCHALE: Anybody like to address 8 Council tonight on anything further? 9 Mr. Duncan, please. MR. DUNCAN: Gary Duncan, 117 Barton 10 11 Street, Dunmore. Mike, can I ask questions on 12 this if it's all right? 13 MR. MCHALE: Of course. 14 MR. DUNCAN: And bear with my ignorance, I guess, local enabling taxes, what 15 16 does that entail? 17 MR. MCHALE: Well, it's the 18 business privilege tax, mostly it's the earned income tax, Mr. Duncan. I could provide a 19 20 detailed budget. And the detailed budget will 21 be left at the Borough Building. But, Gary, I 22 could e-mail it to you. It's no problem 23 whatsoever. I put out a summary just for --24 but this is public information. 25 I had questions and MR. DUNCAN:

there are probably things on here that I just didn't understand. I'll wait if you want to do that, Mike, before I ask any more questions.

MR. MCHALE: Sure. Gary, you're -- as always, you're more than welcome to ask anything. But it's probably about a 45 page budget to print out for everybody. But I could e-mail it to you once I get home.

MR. DUNCAN: If you could do that, that will be great.

MR. MCHALE: Sure.

MR. DUNCAN: You have my e-mail.

You have my cell phone too.

MR. MCHALE: Yep.

MR. DUNCAN: Mike, this is probably a question maybe not so much with the budget although it's got to be a part of it. We talked maybe last year, Mike, and the year before about we went after people that didn't -- I know we don't pay at this point any refuse collection fees. But I know we were going after those that never did.

MR. MCHALE: Yep.

MR. DUNCAN: Is that all part of this or where would that fall into this or are

we still in the process of going after those or

MR. MCHALE: To answer your question, yes, to all of the above. Yeah, we are still going after them. We put it in delinquency penalties and interest on delinquent taxes. It would go in there. Gary, we really do that pretty conservatively. It's almost like found money if and when that

But we are very, very aggressive. Mr. Cummings has been -- the letters that I see going out are quite numerous. And we are seeing some positive results.

MR. DUNCAN: That is just still in

MR. MCHALE: Ongoing, yep.

MR. DUNCAN: Do you have any idea

ATTY. CUMMINGS: I don't have an updated report. I don't want to misquote. The numbers are significant. The numbers that came is also significant. So I will present a report on that at the next meeting.

also give a report and explanation on the liens that will follow because I imagine some people have ignored them will be disgruntled. But it's just fair to everyone to either pay or assume the debt.

MR. MCHALE: We have gotten very aggressive on it, Gary.

MR. DUNCAN: Thanks. Tom, thank
you. I'm glad I asked. I brought it up a
couple Council meetings ago. My barber is Mr.
Genovese down by the tank about the speeding
and everything through there. I don't even
know how you would get it under control. They
come around that turn so fast. Did you hear
any more on that, Mike? I know we talked about
it.

MR. DEMPSEY: No, it's hard for them to sit there because it's such a dangerous corner. But they have been doing extra patrols around that area.

MR. DUNCAN: Can we follow up on that? He's still got the concern from Mr. Genovese. He still says they are flying through there. He's afraid one of his customers are going to get clipped.

And it is a difficult area to cross.

But they come off that S turn, they're ripping when they come through there. So if you could follow up on that for him -- Mr. Genovese. And I could at least let him know. I told him I would follow up. And I think he thought I forgot. And I know we discussed it.

I got an e-mail and I'll do this slowly because of the stenography. At the next neighborhood watch meeting, which isn't until December 19th, I bring it up and I spoke to Chris earlier tonight. I know at our neighborhood watch meeting there was the discussion about the HVAC and the situation with getting the building fixed so we're good in the summer and the winter.

But Judge Margaret Moyle of the

Court of Common Pleas, they're going to
introduce a new Domestic Violence Program which
started here in June of 2016. But they
actually reached out to me and Director

McCarthy from Probation and Parole. He wants
to be a part of that. He's going to discuss
the pretrial services role with the criminal
court system.

I had to send myself a message just to get all of that out. They do attend every meeting. And I know they are particularly fond of the Dunmore Neighborhood Watch. The District Attorney's Office said from their perspective, they think we're the best neighborhood watch in the area.

So I'm thrilled that Judge Moyle and Director McCarthy want to attend our meeting.

So I just want to get that on the record.

Certainly everybody is invited that's here tonight to come to that. I think it will be a great opportunity for to us hear what's going on in the court system.

I just need to know if we can't do it here, you know, I asked about it last week if we can get the Borough Building because then I would have to let everyone that comes to the neighborhood watch meetings know where we're going to have the meeting. I don't know if those folks even know where the room is, you know, up at the Borough Building.

We had a government study commission up there. And that might have been the last time we used it for a public hearing. And that

1 was how long ago, maybe about two, three years already. And so, I guess, if I could just get 2 3 an update on those things. And that's it for Thanks very much. 4 tonight. 5 MR. MCHALE: We'll keep you up-to-date as we move forward, Gary. If need 6 7 be, we'll make ourselves -- I could open it 8 for you that night. 9 MR. DUNCAN: I don't want to put it 10 off until January, that's my fear. She extended herself. And I don't want to push her 11 12 back. That's the biggie. 13 MR. MCHALE: We'll definitely work 14 with you. MR. DUNCAN: Thanks a lot. Thanks 15 16 everybody. 17 MR. MCHALE: You got it. Anybody 18 else like to address Council? 19 MS. CUFF: Sharon Cuff, 115 Spring 20 I just wanted to follow up from two 21 weeks ago when we were here regarding the 22 Keystone Landfill violation notice. I was 23 wondering if Council -- if anyone from Council 24 had the opportunity to speak to DEP about the 25 April 25th and October 1st leachate spills.

And, if so, what did you find out?

MR. AMICO: I did. And it's still ongoing -- the investigation is still ongoing. So that's as much information as they're really saying right now.

MS. CUFF: Okay.

MR. AMICO: I spoke with Colleen
Connolly probably half a dozen times last week
and corresponded with her quite often in
e-mail. And it's so far it's just an ongoing
investigation. That's as much as they are
releasing.

MS. CUFF: Did you find anything out about them -- the process they should be following to notify Council versus public notification?

MR. AMICO: As far as notifying us, she said everything goes through the U.S. mail. So which I'm finding hard to believe because I haven't received anything at the Borough Building through the mail. And I'm assuming nobody else here has received anything.

MR. MCHALE: To my knowledge, the letter that you got, it was addressed to us. So I'm not quite sure how it got to you but

never to this day has come to the Borough Building.

MR. AMICO: Yeah, it never has. And I --

MR. MCHALE: That's what our office who stamps every piece of mail has not received it.

MS. CUFF: Well, I got it because I was asking her because I had heard there was an incident in October through the grapevine, people talk. So that's why I reached out and asked the DEP about leachate issues and what's been going on. And then she replied with this April incident.

And that's when I followed up yet again and said, well, thank you very much for this. I didn't know about this. But I'm asking about something much more recent than April.

And then in follow up three e-mails down the road I was told, oh, yes, October 1st there was also a spill. So that's how I got it. I was very surprised and I received it the day of the meeting. So I brought it right to you guys when I saw you were copied on it.

MR. MCHALE: It's the only way we got a copy is through you. Still. And I did speak to Colleen Connolly, not six times, once. And she said it's still ongoing. That's what Vince exact -- it was probably a three minute phone call.

MS. CUFF: That's troubling.

MR. MCHALE: It is. I agree.

MR. AMICO: There's a breakdown in communication somewhere. And it's not on our end. Again, like Mike said, all the mail comes in and gets stamped. And we still haven't seen -- like every time I call Colleen, she'll e-mail me whatever information that I ask for. But I'm yet to still see a hard copy of it in our mailboxes. And I don't think that exists. I can't understand why.

I'm yet to get a straight answer as to why or where the breakdown is. She said it's been mailed from their office. And our office hasn't received it. So I don't know. I can't figure out where the breakdown is.

MS. CUFF: Now, Throop was also copied on that. Do we know if Throop received it by any chance?

MS. CUFF: Right.

MR. MCHALE: We wouldn't know that.

MR. AMICO: I reached out to Tom

Lukasewicz -- at least I reached out on the

previous cell phone I had. I'm assuming his

number may have changed so maybe that's why he

hasn't gotten back to me. I haven't called him

at his office yet.

MS. CUFF: Well, I asked for any and all documentation from them regarding the April 25th and the October 1st leachate spills from the landfill and I did receive notification I should have everything by December 23rd. I will be more than happy as soon as I get everything I will give it to you guys. I will go under the assumption that you're not getting it.

So and then we can go from there.

But again as I asked last time, we can use your help in this particularly because this is something Council should have been notified and is also claiming to have been notified so it kind of gives you guys --

MR. MCHALE: Claimed by them to have been sent to us.

1 MR. DEMPSEY: Easy to write cc on a letter and not send a copy out. 2 3 MS. CUFF: Right. That's what I It's, you know, I just think if you guys 4 mean. 5 can continue to be vocal on this issue just like I am. So I appreciate it if we can just 6 all share whatever we find out. All right. 7 8 Thank you. 9 MR. AMICO: Thanks. 10 MR. MCHALE: Thank you, Mrs. Cuff. 11 Anybody else like to address Council tonight? MS. SHOEMAKER: Will you entertain 12 13 questions from a neighbor? 14 MR. MCHALE: For you, Mrs. Shoemaker, I will. But please come up to 15 16 the podium and state your name and address for 17 the record. 18 MS. SHOEMAKER: Marie Shoemaker, 1799 East Mountain Road, Scranton. 19 I don't see 20 anything on here dealing with the storm water. 21 And since my municipality and this borough are 22 going I assume under the assumption that the 23 Scranton Sewer Authority sale will occur at the 24 end of --25 MR. MCHALE: I'm going to stop you

right there, Mrs. Shoemaker, there is nothing in this budget that has to do with the Sewer Authority whatsoever.

MS. SHOEMAKER: No --

MR. MCHALE: No, let me finish. I let you start. Absolutely positively nothing has to do with the Sewer Authority which I said ad nauseam at this podium.

I am not going under the assumption it's being sold. There is not one penny of revenue in here. There is not one reduction of expense in here unlike your municipality, absolutely positively. This board will decide Dunmore's vote. Your four members will decide Scranton's vote.

As of right now, we don't have the information to get that vote together. that's -- it's an independent board that I said when I was appointed seven members are going to decide how I vote. We haven't changed. Storm water cost, we have no idea. Scranton has no idea, no idea.

So to say how do have storm water costs in here, if the Sewer Authority doesn't sell, storm water costs are going to be the

same whether it sells or not. Period. End of story. And nobody knows what that is. I know it's not the answer you want to hear. But nobody knows what that is because nobody knows what the federal mandates are going to be.

So how do you estimate something that we don't know what is going to happen. The combined Sewer Authority is what they're talking about buying. That's 99 percent of the issue especially in Dunmore. We as a Council will sit down and decide if and when that comes to fruition. Mr. Cummings --

ATTY. CUMMINGS: Yes, sir.

MR. MCHALE: Anything else on that that I'm missing?

ATTY. CUMMINGS: No, I think it's very important to know that the storm water issue is a big question mark. But it's a question mark whether we own the Sewer Authority or not. I just want to reenforce what Mr. McHale said. And Dunmore's current liability under MS4 permit is relatively minor. The concern as Mr. Barrett has aptly warned and instructed us -- Mr. Barrett of the Sewer Authority that we really don't know what the

future federal regulations are going to be regarding the Chesapeake Bay.

But we need to be prepared and monitor them because the presumption is that there will be increased monitoring and increased costs to ensure the clean water enters the rivers that empties into the Chesapeake. But there really -- there is no way to know. So whatever the dollar is, the dollar will be.

MR. MCHALE: And those costs will be borne by Dunmore if the Sewer Authority owned it or the Sewer Authority didn't.

ATTY. CUMMINGS: Correct.

MR. MCHALE: It really -- saying it's a storm water issue that the Sewer Authority if it's not sold would have taken care of -- and, Tom, again, correct me if I'm wrong -- that's not necessarily true. It's a -- storm water would be a Dunmore issue whether Scranton Sewer Authority run by Gene Barrett owns it or Pennsylvania American runs it.

Its cost going be to borne by the Dunmore taxpayers if and when any mandates

come. Take the Sewer Authority sale out of it. We don't know what those costs are going to be. And anybody who tells you that they do, I'd like to meet them because every expert that I've spoken to, they don't -- how do you estimate costs when you don't know what the rules are going to be? It's -- but again, it has nothing to do with the sale.

MS. SHOEMAKER: Well, how do you pay now? You don't pay a separate storm water fee, do you?

MR. MCHALE: Well, most of the storm water goes down the combined sewer authority which is being sold. And all those assets are still going. So to make your argument which again we said here 20 times, if they are made to separate those, that's Pennsylvania American's problem. If Scranton Sewer Authority still owned it, that's the Scranton Sewer Authority's problem.

It's going to be someone's problem whoever owns it, whether it's run by Dunmore/Scranton or run by Pennsylvania American. That separation cost is with the combined system. Those costs are borne by that

1	entity whoever it may be who puts its name on
2	top of the letterhead.
3	MS. SHOEMAKER: So you have no lines
4	in Dunmore that are just plain storm water.
5	MR. MCHALE: Oh, we do. We do,
6	absolutely.
7	MS. SHOEMAKER: Okay.
8	MR. MCHALE: Not a lot but, yeah,
9	absolutely.
10	MS. SHOEMAKER: Okay, but those
11	conceivably could be yours on the first of
12	January.
13	MR. MCHALE: They are ours now.
14	MS. SHOEMAKER: Okay. I was not
15	aware of that. I appreciate your indulgence.
16	MR. MCHALE: Thank you. Anybody
17	else like to address Council tonight?
18	(No response.)
19	MR. MCHALE: Seeing none.
20	ATTY. CUMMINGS: Public officials.
21	MR. MCHALE: Mr. Amico, do you want
22	to lead us off tonight?
23	MR. AMICO: Yeah, a few things.
24	First of all, I would like to thank the Dunmore
25	Pride Committee and especially Mr. Hallinan on

a very successful Home For The Holidays yesterday. My daughters had a great time yesterday. And it was very, very nice.

And I would also like to thank the businesses that helped out. And the art students at Dunmore High School for painting the businesses. And that is really all I have. I wanted to extend my congratulations on a very successful Home For The Holidays. Thank you.

MR. MCHALE: Mr. Hallinan.

MR. HALLINAN: Just one thing on that storm -- it's just driving me out of my mind. I just have to ask just one question if I could if this is okay now. They're mandating all of this stuff to us in Dunmore. Is there a chance that they'd pay -- how do you mandate and not give money to have it done? What if we were absolutely broke?

ATTY. CUMMINGS: They can do unfunded mandates, mandate you to do something without giving you money to do it.

MR. HALLINAN: I don't think it's fair to the taxpayers.

ATTY. CUMMINGS: But it's not done yet.

MR. MCHALE: The Scranton Sewer
Authority is under a mandate right now, not the
storm water ones that may be coming. But there
is a Chesapeake mandate that Scranton is going
through right now and had to raise rates years
ago to cover it. And we're talking 70 mill?

ATTY. CUMMINGS: In excess of, and part of that is the storm water that the CSOs we had to restrict. We had too many whether events where raw sewage was going into the river. The part of the edict was reduce our weather events.

MR. MCHALE: So, Tom, that actually did happen.

MR. HALLINAN: Okay.

MR. MCHALE: You know they came with mandates and the Sewer Authority took 70 million dollars plus worth of bonds out and is paying for it through rate increases. Yeah. And that's -- we're not even talking about the storm water ones that could be coming down the road.

MR. HALLINAN: Thank you. That's all I have.

MR. MCHALE: Mr. Dempsey.

_ \

MR. DEMPSEY: Just a quick

congratulations to the Dunmore football team as well as Dunmore Pride Committee for all of their hard work. Unfortunately I was unable to attend it. But I heard terrific things. But mostly I want to thank you, Michael, for your -- again, I don't know how many years in a row you have been doing this budget.

I appreciate you that you say

Council puts all the hard work into it. But we

try to chip in here and there. But without

you, who knows where this town would be right

now. You know, you don't get paid a lot money

to do this stuff. I appreciate all the time

and effort you put into it to get us in a

position where we can buy a million dollar fire

truck, three dump trucks -- three garbage

trucks, a \$500,000 renovation on a firehouse.

I know we got a grant for that, but all that wouldn't be possible without your hard work on the budget. So I appreciate that. So thank you.

MR. MCHALE: Thanks. Mr. Verrastro.

MR. VERRASTRO: Just to echo

everybody. I want to thank the Dunmore Pride

Committee. We had a very good turnout yesterday. Thank you, Mr. Hallinan, for helping organize all of that.

MR. HALLINAN: Thank you guys for volunteering.

MR. MCHALE: Mr. Burke.

MR. BURKE: Like to thank the Pride Committee too and congratulate the Bucks. Everybody in the school district helped out too, especially you, Tom, with everything you did for the Pride Committee.

And you again, Mike, for the hard work you always put into the budget. I really appreciate it. And I know that everybody else does. Thank you.

MR. MCHALE: Mrs. Scrimalli.

MS. SCRIMALLI: I also would like to say thank you, Mike, for working very hard on the budget. Appreciate that very much. Also, thank you to the Dunmore Pride Committee again just to reiterate what everyone else said. It was a wonderful event. And, Tom, you did a great job organizing it. So thank you. And congratulations to the Dunmore Bucks. And that's all I have for tonight. Thank you.

MR. MCHALE: Thanks, Carol. Quickly because I did most of the talking but to reiterate, Tommy, what you guys have done with the Dunmore Pride Committee, I often get caught up in my role here is a little bit different where I do get caught up in the numbers and typically the no guy.

To see what you guys pulled together and you asked us for help. But you're the one who is really carrying that flag, you and that committee is fantastic. And to have events like that in this town and to see how this town pulls together with that Dunmore football team, and it's just a perfect example of why I live here. I could say that and why we stand up for each other in good times and in bad.

And, Tommy, for once again for going above and beyond to make us look good as a group. And I thank you. I want to throw out prayers. Tommy Richardson lost his father. I didn't have a chance to go to the viewing. But one of our very, very, very good police officers. So I send my condolence out to him.

And Vince's daughter was sick. So if -- I know she's doing better. But everybody

keep her in their prayers for a quick recovery. It's sad when a young girl gets sick. she's doing well, which we're glad to hear. I'll look for a motion to adjourn. MR. BURKE: Motion. MR. DEMPSEY: Second. MR. MCHALE: All in favor? ALL MEMBERS: Aye.

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

•

21 (The foregoing certificate of this transcript does not

apply to any reproduction of the same by any means

unless under the direct control and/or supervision of

the certifying reporter.)