COUNCIL FOR THE BOROUGH OF DUNMORE

HELD:

Monday, December 12, 2016

TIME:

7:00 P.M.

LOCATION:

DUNMORE COMMUNITY CENTER
1414 Monroe Avenue
Dunmore, Pennsylvania

COUNCIL MEMBERS:

MICHAEL MCHAILE, President
MICHAEL DEMPSEY, Vice President
TIMOTHY BURKE
CAROL SCRIMALLI
THOMAS HALLINAN
VINCE AMICO
SAL VERRASTRO
THOMAS P. CUMMINGS, Esquire, Solicitor

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

ATTY. CUMMINGS: Mrs. Scrimalli.
MS. SCRIMALLI: Present.
ATTY. CUMMINGS: Mr. Burke.
MR. BURKE: Present.
ATTY. CUMMINGS: Mr. Verrastro.
MR. VERRASTRO: Present.
ATTY. CUMMINGS: Mr. Amico.
MR. AMICO: Present.
ATTY. CUMMINGS: Mr. Dempsey.
MR. DEMPEY: Present.
ATTY. CUMMINGS: Mr. Hallinan.
MR. HALLINAN: Here.
ATTY. CUMMINGS: Mr. McHale.
MR. MCHALE: Here.

ATTY. CUMMINGS: Public comment on agenda items.

MR. MCHALE: Does anyone have any comments on agenda items tonight?

(No response.)

MR. MCHALE: Seeing none.

ATTY. CUMMINGS: Motion to approve the minutes.

MR. MCHALE: Motion to approve the
minutes we're on, Tom?

ATTY. CUMMINGS: Yes, sir.

MR. MCHALE: Do I have a motion?

MR. BURKE: 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: Item number five is a motion to approve and pay the open bills.

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

MR. DEMPSEY: I'll make that motion.

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 six is a motion to approve the final 2017 budget. For the record purpose, I note the budget was advertised for a 30 day period and a copy was available at the Borough Building for public inspection.

MS. SCRIMALLI: I'll make that motion.

MR. DEMPSEY: 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. Quickly on the question, you'll see in item number seven the tax rate for the current
year will be the same as last year. We balanced our budget with income of $11,488,597 matching the expense of that amount. We considered this a very conservative budget on the revenue end.

And a very -- I don't want to say aggressive, but, you know, we think we've captured everything in the expense column as well. There are a couple items we're still working on refinancing to lower rates continues. We always beat up our insurance carriers both health and workers comp and so on. That's continuing.

But it can only go down at this point. So a lot of hard work went into this. We're very, very -- for the sixth or seventh year in a row there will be no tax increase in Dunmore. A couple years ago we had a tax reduction. We hope to do that again in the very near future.

We're proud that one more year, at least the sixth in a row since I've been here that there will not be a tax increase. 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 seven is a motion to approve the 2017 tax ordinance; General obligation 20 mills; Debt service 19 mills; Pension services half a mill; Public Street lighting 1 mill; Fire equipment and training 2 mills; Firefighting services 1 mill; Rescue services one half of one mill totaling 44 mills.

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

MR. DEMPSEY: 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 eight is a motion to waive the Refuse Fee for calendar fiscal 2017.

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

MR. BURKE: Motion.

MR. HALLINAN: Second.

MR. MCHALE: A motion and a second.

On the question, this is what we eliminated a few years ago. We are not as a formality, we are not reinstating it again for the current year. It was the $150 per household fee that again is not being reenacted for this budget season. 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 nine is
a motion to authorize borrowing from First National Community Bank in the amount up to one million dollars at an interest rate not to exceed 1.6 percent for the 2017 Tax Anticipation Note.

Approval will authorize the President of Council and Borough Solicitor to take all actions necessary to bring this matter to fruition. We'll not -- for the record, this will be tantamount to a line of credit.

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

MS. SCRIMALLI: I'll make that motion.

MR. DEMPSEY: Second.

MR. MCHALE: I have a motion and a second. On the question, this is again the Tax Anticipation Note we get every year. We rarely use a lot of it. But we do it in form of a line of credit similar to what you would do in your home.

You could see based on what Scranton got compared to what we got 4, 5 percent a heck of a lot of cost. And we get 1.6 with minimal, if any, cost on our line of credit. Again, we have done this every year and pay it off pretty
quickly.

It's a -- we're hopeful we never have to use our TAN. But realistically until the taxes start rolling in, in February, March, and April, this sometimes covers in a cash flow situation, so very, very good rate once again.

And that's again a testament to our getting our financial house in order that we're very proud of. So 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 10 is a motion to amend and approve the borrowing ordinance. You had at a prior meeting authorized the borrowing at the bulk of $9,400,000. Since that time you renegotiated the rates of some existing debt. So that's no longer necessary to borrow.
We also have recapitulation 5 million dollars of the new borrowing specifically for pension fund. All of this changed all to the Borough's benefit but requires amendment to the ordinance by Council so the same may be submitted to the state and go with the loan package.

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

**MR. HALLINAN:** I'll make that motion.

**MR. MCHALE:** Second.

**MR. DEMPSEY:** I'll second it.

**MR. MCHALE:** I have a motion and second. Again this is what I spoke of earlier. This is -- and we've had to read this because we changed terms and renegotiated terms to the betterment for Dunmore, bring the rates down. We're refinancing a lot of our debt.

Some of the debt is going to be used to push money into our pension plan, which is in essence debt. Our unfunded liability is debt. So the more we are able to put in the pension our MMO, our Minimum Municipal Obligation goes down even more so.

So it's a mathematical equation to
try to get there and because we can get very
good rates and putting some money into the
pension plan, it helps even more so for the
Borough.

    It helped us before. We've looked
into it again. And based on our lending
capabilities we think this is a very good move.
And again, we continue to negotiate the rate
lower and lower as they are available. So
we're able to use those savings from prior
borrowings and put them into the pension plan
and/or capital improvements that are sorely
needed. So 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 11 is a
motion to adopt Resolution 11 of 2016 for the
submission of a Keystone Community Grant
application for the Lackawanna County
Redevelopment Authority for funding to revitalize and improve the downtown business district currently known as Dunmore Corners.

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

MR. VERRASTRO: I'll make that motion.

MR. AMICO: I'll second it.

MR. MCHALE: I have a motion and a second. On the question. Vince, do you want to -- this has been yours. Do you want to say anything on this?

MR. AMICO: Just basically what we're looking to try to redevelop the corners, bringing -- really the sky is the limit as far as what we can do with the corners, new sidewalks, revitalize the downtown facades. But this specifically is just to get the ball rolling in order to get the architectural drawings and renderings. So this is just the first step and look of hopefully a bigger and brighter downtown. So that's what this motion is for.

MR. MCHALE: Thanks, Vince.

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 public comment and we'll start with Gary Duncan.

MR. DUNCAN: Gary Duncan, 117 Barton Street, Dunmore, PA. I spoke to Chris -- or Chris spoke to me before the meeting just a reminder for next week for the neighborhood watch meeting we have Judge Margaret Moyle from the Court of Common Pleas who's going to be joining the neighborhood watch next week to discuss the new Domestic Violence Program in Lackawanna County and Billy McCarthy who is the Lackawanna County Director of Probation and Parole who is going to discuss pretrial services here in the Lackawanna County criminal courts.

So if we're not going to be here next week if somebody can get in touch with me
right away so I could let Judge Moyle and
Director McCarthy know if we can meet up at the
Borough Building. But it's Monday night. And
I just need as much time as possible so I can
get through to all of those people and let
everybody from the neighborhood watch know.

I'm thrilled that they both want to
join us for this meeting. Director McCarthy
always has a rep from probation and parole with
us but to have Judge Moyle join us and discuss
a new program I think it's a real great thing
that look at Dunmore and want to come up and
speak with us.

With that said, Mike Dempsey, I know
I spoke to you over the weekend. The situation
still exists with the barber shop,
Mr. Genovese's down by the tank on Short
Street. I don't know what we can do down
there. I was at the barber shop Saturday and
just sitting in the chair, the cars do fly
through there. It's the S turn.

I don't know -- there is no miles
per hour signs I know. People don't read
signs. They can't make people drive slower.
But the simple fact of the matter is that area
there was a sign there I believe at one time. The sign is gone that had the 25 miles per hour. And I don't think there's anything up even higher.

Tom, I always look to you because I know you worked for PennDOT. I don't know, you have a lot of experience in this area. I don't even know if we can get, like, a slow -- it's that S turn. They whip around there. I don't know what you do.

He had a handicap customer and the guy went to pull out and the customer almost got clipped. So I don't know what we do. It's just -- he's just totally frustrated, Mr. Genovese. And that's a long-time community barber shop. It was his dad's for God's sake. Mr. Genovese is no kid.

MR. HALLINAN: The speed limit is 25 miles per hour. And they only have to be every half of mile. So what we can do is ask to put up a -- ask the state to look at maybe with that turn there, maybe they could put up like a cautionary -- did you ever see the yellow speed limit but more or less a slower speed. Maybe they could put up something 15 or something,
whatever they would think.

MR. DUNCAN: He even asked you know lights up by Holy Cross he even said can we get something like that. I said I could ask Council. I don't know about that. I just wanted to bring it up tonight.

MR. HALLINAN: That's because of the school.

MR. DUNCAN: I said I'd ask.

MR. HALLINAN: We can ask them to see if they would put something to just slow them down through there.

MR. DUNCAN: Okay, thanks a lot. Anyway and the other thing is and I know Gerard Hetman is not here tonight. Back in May I had written a request for a Community Reinvest Program Grant to the County Commissioners. And they are not here tonight. Mr. Hetman is not. I want to publically thank them. They gave us a grant for $10,000 for the Dunmore Historical Society, which they should really be another one of the gems of the Borough. And it will help us with insulation with gutters on that building.

I wish Gerard was here to hear it.
But for the record I want to thank those folks.
Again, if you could just let me know, Vito, or
somebody where we can meet next Monday. I hate
to cancel it.

MR. RUGGIERO: Sure.

MR. DUNCAN: I don't know when she
would have the opportunity again, and Merry
Christmas everybody and thanks very much.

MR. MCHALE: Thanks, Gary.

MS. SCRIMALLI: Thanks, Gary.

ATTY. CUMMINGS: Other public
comment.

MR. MCHALE: Anybody like to address
Council tonight?

MS. CUFF: Sharon Cuff, 315 Spring
Street. First off, I want to thank Vito for
getting that notice of violation up on the
website right away from the last time. I
appreciate it. You weren't here when I was
here last time. I just want to say thanks.

Secondly, I wanted to see if Council
found out any more information regarding the
leachate spills in April and October of this
year?

MR. AMICO: October is still under
investigation.

MS. CUFF: And still haven’t received that formal notice of violation other than from me?

MR. AMICO: Not to our knowledge.

MS. CUFF: Okay. And again, I told you guys I did ask for all the information related to both and they told me I would get it December 23rd. I’ll share it with you as soon as I get it.

Next question, I was wondering if Council received any notices on violations of the Clean Air Act this year 2016?

MR. MCHALE: Mrs. Cuff, not to my knowledge. Vito, I know you’ve only been back a little while.

MR. RUGGIERO: Not since my return. I can try to reach to see if anybody has it anywhere else. But I didn’t see anything.

MS. CUFF: Okay. So I have been doing a little searching on the various web sites that are available regarding the Keystone Sanitary Landfill. So there is data on the landfill air emissions. And you could find those on the Pennsylvania Department of
Environmental Protection. They are publically available on eFacts, which is where you know we usually find most of the information. And they have other websites as well. And one of them is called Echo, which is Enforcement and Compliance History Online.

And again, all of this is available online for anybody. It's public information. So in doing so searching on these websites, it appears that there were two violations this year in 2016 of the Clean Air Act. The most recent was on November 30th.

And that's the more significant one. And it's titled HPV history, HPV equals High Priority Violation. So it's a federally reportable violation. I really can't tell you what the violation is because as much as I was digging, I didn't actually find which particular pollutant or what the source is at this point.

And today honestly I just did not have the opportunity during my workday to contact EPA and DEP to find anymore out. But I wanted to see if you guys were aware and if you received notice.
The other violation took place on March 25th, 2016. So again, type of action, notice of violation. So I will leave this with you guys. But basically I'm wondering is this Council taking active steps to look into and to continually ask questions from the federal and state agencies regarding issues like this since we found out that you weren't notified the last time? Are we actively pursuing anything with these agencies?

MR. MCHALE: You're looking at me. I've spoken to the DEP as I told you I believe last meeting on several occasions in regards to the prior -- the issue that has been brought up. And my main problem there is that we were never notified that you stand up there, you have a copy of a letter addressed to us that was never received.

And everything is cataloged that goes into that Borough Building. And I know Vince is constantly on top of -- as are other members are too. But, you know, I know you're looking for specifics that I personally don't have.

MS. CUFF: Right, well, I guess now
given that we have more violations that our
Borough Council isn't notified of, I would
think that you will be even more outraged just
as we are because we need to --

MR. MCHALE: When you're saying we,
are you speaking on a group, Mrs. Cuff?

MS. CUFF: We as in the Borough
Council on --

MR. MCHALE: I didn't know if you
were speaking on behalf of a group.

MS. CUFF: Nope, I'm speaking on
behalf of a resident of the Borough of Dunmore
who is concerned about the air quality, the
water quality, soil, all of it.

MR. MCHALE: Absolutely.

MS. CUFF: That's what I'm speaking
to. So I'm going to -- as you know, I'm going
to keep digging.

MR. MCHALE: Please do.

MS. CUFF: I'm asking that all
Council members each one of you take time, look
at these websites, contact whoever you need to
contact EPA, DEP, you know, your Congressman,
your State Senators, whoever you feel would be
most beneficial to get answers for all of us on
this very critical issue. It would be greatly appreciated.

MR. MCHALE: Absolutely.

MS. CUFF: Okay? Thank you.

MR. MCHALE: Thank you, Mrs. Cuff.

MS. SCRIMALLI: Thank you.

MR. AMICO: What was the November date?

MS. CUFF: November is November 30th, 2016, and March 25th, 2016.

MS. SCRIMALLI: What was name of the website?

MS. CUFF: Echo. This is under the EPA. The EPA'S website if you go in and you look under Echo, which stands for Enforcement and Comply History Online. I could give you a copy of this.

MR. HALLINAN: What I'm asking, Sharon, is did the federal government, EPA go up there and test the air or something and find violations that we weren't notified about?

MS. CUFF: I don't know if they are self-reporting or if they went up and did the inspection. I haven't gotten that far. All I know is I have the document saying that. And I
haven't been able today --

MR. HALLINAN: This isn't DEP. This is federal or --

MS. CUFF: No, because DEP we have what they list as SIP, which is a State Implemented Program. So DEP should also be well aware of this. But again, I don't know that for certain because I didn't have an opportunity today to call anybody and find out.

MR. HALLINAN: Vito, would you find out for us, please why we're not getting informed of this stuff?

MR. DEMPSEY: Put it on letterhead. Send it on letterhead that we want to be notified of all violations.

MR. HALLINAN: Thank you. Thank you, Sharon.

MS. CUFF: You're welcome.

MR. MCHALE: Thank you.

MS. CUFF: Thank you very much.

MR. MCHALE: Thank you as always.

Anybody else?

MS. RICE: Good evening, Council. My name is Mary Rice. And I appeared here twice in the summer with some other residents
of North Apple Street. We're here this evening to thank all of you for the prompt attention that we received on our problem on Apple Street. We can't thank you enough.

We thought we would be waiting months for a solution. And the solution that Mr. Judge and Chief Marchese and Joe Lorince came up with is working out just great. And that's why we're here tonight to thank you. We know you get a lot of complaints. But you probably never get a lot of praise. And we certainly thank you from the bottom of our hearts.

MR. MCHALE: Thank you.

MR. DEMPSEY: Thanks.

MS. SCRIMALLI: Thank you.

MR. MCHALE: Anybody else like to address Council?

MS. ODONNELL: Good evening. I'm Kristen O'Donnell, 1701 Monroe Avenue in Dunmore, and really here with some questions to help me learn a little bit more about how decisions are made in choosing vendors by the Council.

As a little bit of a background, I
consider myself a Dunmore girl born and raised
in Swinick's, great childhood up there. And
although I moved for the last 15 years to a
house just outside of Dunmore, I never really
left, came back every Sunday for mass at St.
Mary's, take my clothes to Sack's for
tailoring, and (inaudible) Cara Mias.

In October, I moved back to Dunmore
because like my parents, I wanted to raise my
children my six-year-old daughter and an
eight-year-old daughter in Dunmore.
Financially, I am now a residential taxpayer of
the Borough and so I thought the Borough might
be happy to have me back too.

In addition, I'm co-owner of Dempsey
Uniform and Linen Supply. And I employ 21
Dunmore residents who like myself partially
depend on their livelihood for -- from
customers like the Dunmore Borough. Today as I
came through here in the community center, I
walked over ten mats which used to be mine from
a company called Cintas which is a 4 billion
dollar pubically traded company based out of
Cincinnati.

And on Sunday night, my six-year-old
small fry basketball playing daughter used the restroom with dispensers full of soaps and air fresheners from Cintas. So I'm here as a citizen of Dunmore to ask questions about those services from Cintas.

And my first question is when and where was the decision made by Council to use the Cintas' services?

MR. MCHALE: Tom, I'm hesitating because litigation has been threatened by your company.

MS. ODONNELL: There is no litigation.

MR. MCHALE: It's been threatened by your company.

MS. ODONNELL: I have very specific questions.

ATTY. CUMMINGS: We were on notice from Attorney Lawrence Durkin who is representing Dempsey Linen Supply --

MS. ODONNELL: And have you spoken to him?

ATTY. CUMMINGS: I placed two calls to him.

MS. ODONNELL: Have you spoken to
him?

ATTY. CUMMINGS: I have not.

MS. ODONNELL: Okay, so, then you don't really know what's going on there, do you? If you have not spoken to him, you do not know if there is anything in that regard.

ATTY. CUMMINGS: In what regard?

MS. ODONNELL: In with regard to litigation. I'm not asking about Dempsey right now. I'm asking about the decision that was made to use the services here. And my question was, when and where was the decision made by Council to use Cintas' services.

ATTY. CUMMINGS: I could go through the file and prepare a written report. You could answer at your option. It's not public debate. It is public comment.

MR. MCHALE: What's your recommendation, Tom? I want to answer any questions she has, but you tell me.

ATTY. CUMMINGS: You would be free to answer in generality the procedure. But with due respect, I request that if you have questions to a particular contract that you afford me the opportunity to at least talk to
Larry Durkin and then respond to anything you have.

**MS. ODONNELL:** I'm not asking about anything with regard to Dempsey Uniform and Linen. I'm trying to understand how the Borough would make a decision here with a particular vendor for services that they have. I'm not sure why that would be something secretive.

**MR. MCHALE:** It's not secretive. But when you threaten with litigation -- with all due respect I want -- I'll answer anything you want.

**MS. ODONNELL:** No, you're not answering it.

**MR. MCHALE:** Then go ahead. Ask the question. I'll answer it.

**MS. ODONNELL:** My question is, when and where was the decision made by Council --

**MR. MCHALE:** About two months ago we chose to -- and, Tom, cut me if I'm -- we chose to look at bids.

**MR. DEMPSEY:** I thought we're talking generalities. Or are we talking about a specific decision or about a general?
MS. ODONNELL: I'm talking about when and where --

MR. MCHALE: So you are talking about Dempsey.

MR. DEMPSEY: So you're talking about the carpets.

MS. ODONNELL: No, no, I'm not asking anything about --

MR. MCHALE: By the way, Dempsey does every other building as well.

MS. ODONNELL: That is not my question. My question is about the mats I see here and my question is when and where did Council decide to use Cinta's services?

ATTY. CUMMINGS: There is a record being created.

MR. MCHALE: That's what I --

MR. DEMPSEY: I don't want to answer questions.

ATTY. CUMMINGS: I would not shoot from the hip. If you're not specifically aware of the time and date and who was present then reserve the right to respond to it.

MS. ODONNELL: Can I ask if it was at a Council meeting that the decision was
made?

ATTY. CUMMINGS: My response would be blank with everything.

MR. MCHALE: Pardon me, Tom?

ATTY. CUMMINGS: My response, if you don't know, then certainly accept the question and formulate a response when you have your information.

MR. MCHALE: I mean, obviously on his guidance, I'll get you specific answers as you ask the questions.

MS. ODONNELL: So you won't answer as to whether a decision on a vendor was made at a Council meeting?

MR. MCHALE: Tom.

ATTY. CUMMINGS: Again, accept -- we'll accept the question and then they will prepare a response. I don't recall when it was made, how it was made. I don't. And I only miss one meeting --

MS. ODONNELL: We're talking at most eight meetings, right, you said two months ago so was it made at a Council meeting is my question.

MR. MCHALE: I don't recall.
Honestly, I'm not -- I don't recall if it was specifically at a meeting.

MS. ODONNELL: Did the Borough -- did someone sign a contract for the services?

MR. MCHALE: Ma'am, you're trying to get me on the record on something that to me you're setting up litigation. And I have counsel here telling me not to do so.

MS. ODONNELL: I don't see how this -- I'm asking very specific -- not about anything about a contract with Dempsey or Dempsey services. I'm asking about a vendor that --

MR. MCHALE: But you're representing yourself from Dempsey. They were my contracts. With all due respect --

MS. ODONNELL: I'm not asking about that contract or its validity or anything about it.

ATTY. CUMMINGS: I would suggest at this point because it looks like it's going to go on back and forth that you submit a Right to Know request and in five days they'll answer in writing.

MS. ODONNELL: Okay. Here is the
Right to Know request which I will give a copy to each of the members of Council as well as to the Solicitor.

MR. MCHALE: By the way, your home is absolutely gorgeous.

MS. ODONNELL: Thank you. I'd like to think that the tax revenues is coming back a little bit.

MR. MCHALE: Anything else, Miss O'Donnell?

MS. ODONNELL: That's it.

MR. MCHALE: Would anybody else like to address Council?

MR. EDWARDS: Scott Edwards, 424 Shirley Lane, Dunmore. Good evening, Council. For anybody who doesn't know me, I'm the owner of G and S Car Wash on 114 Monahan Avenue. I have been in business there for 35 years. And tonight I would like to talk to you about the condition of the roads that lead out of my place of business and how difficult it is to make a living cleaning vehicles with the conditions of the road.

I have some pictures here I would like Council to look at. These are pictures of
the road right in front of my place, right in
front of the old Verizon -- it's the Verizon
building. Anybody who uses my facility has
only one way to get out of there. And that's
to go down Monahan Avenue where it intersects
with Reeves Street.

If they go right, they could head
back to Swinick's and to Drinker Street, that
area. They go left, they could go around the
Industrial Park and come out by Sheetz. That's
the only way that a tractor-trailer could exit
our place. We have eight truck bays there.

And the average guy who spends $20
cannot get back to the O'Neill Highway without
getting dirty because of what is on that road.
If there was a light at the top of Monahan
Avenue which back in 1995, PennDOT talking with
me and three other business owners they had
said they were going to do that when they
reconfigured that road. And they never did
that.

So cars that exit my place who don't
want to go down through the dirt on the road,
they take a left and go up through the Big Lots
parking lot and that shouldn't be. It puts a
burden on their parking lot. It puts their customers at risk. There should be a light there. And I being the distance that I am from the O'Neill Highway, PennDOT said that I really don't have any say in that. But since 1995, we have now a car dealership there. We also have a hotel there. And we also have a very busy clinic next to our facility.

All of this extra traffic I think deserves at least a traffic study to show the merits of this. Getting back to the conditions of the road, especially Reeves Street, if anybody goes there now, they should see what a deplorable condition that road is in. The sides of the road are higher than the road itself from all the dirt and whatever.

It's got many pavement cuts. It's got potholes. And right where Monahan Avenue meets Reeves Street, it's very bad there too. If you don't know right where the dip is, you'll be bouncing your head off the ceiling of your vehicle. And I don't know if Council has any plans to pave but -- or grants to do that. But those roads need to be
addressed. So that's why I'm here. I'm looking for answers. I'm looking for help because if things continue the way that they are, I'm not going to be in business much longer.

Every year your business has to grow. And ours continues to decline because just the other day I had a guy -- now, I know we have a bad situation with Dunham Drive being collapsed. And I know that they are trying to fix that. But it's not -- this is the worst situation right now with Dunham Drive being closed because the garbage trucks come in and out of there.

And some of them go right up through the Big Lots parking lot. And again, that should not be. PennDOT needs -- they had a chance to do something when they reconfigured that road and they didn't do it. And I know that they said they don't want to do anything because it would slow traffic coming off of that in the morning.

But it's not right to make everything go around through that parking lot and use that light. So that's why I'm here.
MR. MCHALE: Tom, do you have any --

MR. HALLINAN: Yeah, we'll request a traffic study. I think like you said, you recognize the problems, the off ramp coming for Throop and then the short distance between there and Monahan Avenue. That's probably what they're looking for left turns. You could go up and make a right. But you can't make a left.

And that's the problem that -- we'll request a traffic study. I understand your plight. I also want to ask you from these pictures, has this increased since the road has been damaged and you're getting more traffic and more dirt is carrying in through like that?

MR. EDWARDS: Obviously, I mean the landfill is looking to expand. The farther these trucks have to travel into the landfill, the more dirt they accumulate, the more dirt they accumulate on there, the more they bring out into the Borough.

MR. HALLINAN: Yeah, well, what I'm looking at is could we send a letter and have them maintain that street up there since there is an increase in truck traffic there because
of that entrance where they came in obviously it's incumbent upon them to keep that street clean, which we would do anyway. But I think we should go through the guy that's up there.

They're creating all of this traffic coming through your area and making the street dirtier. And as far as paving, yes, we are -- I'm sure we've talked about paving programs. And again, I had other streets in mind. But I think Mr. McHale said to me when we were discussing putting paving is the Industrial Park is a mess.

MR. MCHALE: Mr. Edwards, I frequent --

MR. DEMPSEY: I'm there with both of our cars too. I know the problem, believe me.

MR. MCHALE: It's -- the road up there is just -- you're right. You have to check your fillings once you go up that road. And the ruts in it are -- we have to do something up there. That I think is something that all of this Council -- this budget does have capital improvements in it and a paving program.

Is it going to be a 2 million dollar
paving program, no. But I do think your area
is definitely a priority because of a lot of
the runoff is an issue. I think those roads
were put in. And a lot of the park went up
specifically where you are afterwards.

The roads were not built for the
amount of traffic that it's handling now. And
that's very evident based on all of the ruts.
So I do think something definitely has to be
done with the runoffs off the roads and the
weight limits, whatever the case may be.

I think we should have -- and you
and I spoke of it several times and now with
Dunham Street closed to have a cop up in
Bi-lo -- I'm calling it Bi-lo. I'm dating
myself -- Big Lots.

ATTY. CUMMINGS: The Miracle Mart.

MR. MCHALE: But I agree with you
that --

MR. EDWARDS: I don't want to see
anybody getting ticketed. That's, you know,
exacerbating the problem because you can't take
the one way that they have to get out of there
clean by ticketing them. You can't do --

MR. MCHALE: No, but they shouldn't
be going down your road is my point. At this point, they should go up to the road where the State Police is. Forgive me, I don't even know the name of that road. And that was -- the 18 wheeler should not be going down cutting to Big Lots.

MR. SCOTT: And the same -- that's true, okay. But the same trucks that are creating that mess -- see, there is no clean way to get from Monahan back there because the trucks are using Reeves Street. And they are dropping mud. So anybody that comes out of my place clean -- the other day a guy spent $30 and washed his tractor and trailer.

And he left and he got to Reeves Street. And the landfill trying to clean the road up, they had that big water tank and they flushed the road. Well, the last thing that somebody wants to see after they spent $30 cleaning their truck is to see a flooded street.

And he came back and, you know, he reamed me out. And it's not -- I don't like being yelled at for something I have no control of.
MR. MCHALE: Right.

MR. EDWARDS: And so that's why I'm here. There has to be something -- there has to be something done, you know, whether it's the landfill has to rinse their trucks off before they leave --

MR. AMICO: I think one solution will be that the landfill does have a truck wash. And it shouldn't be -- I believe it shouldn't be incumbent on the Borough.

MR. MCHALE: It should be mandatory.

MR. AMICO: It should be because what they're carrying out of the landfill ultimately, you know, theoretically could end up in your house. For example, if you lived in Swinick's -- just a simple thing. If you lived in Swinick and you drove down Reeves Street and pull your car directly into your garage, now you're tracking that into your house and that shouldn't be.

MR. MCHALE: I agree.

MR. AMICO: And you're tracking it through Borough roads. And you are creating more of a mess in front of a gentleman's property which it shouldn't be incumbent on the
Borough to take care of that. It should be fixed where the problem originates, I believe.

MR. MCHALE: Couldn't agree more.

MR. BURKE: Also the water sprays that he has, all they do is block up our storm basins which our rate payers have to end up paying to get cleaned out. So the waters give us absolutely nothing but give us higher rates with our sewer bills.

We have to send men up there to clean them out. There should be street cleaners -- the landfill should have street cleaners going up there at least 10 or more times a day because it's a dust storm if you drive up that road no matter what time of the year it is.

MR. EDWARDS: They used to use a product that was calcium based product to keep the dust out. And I know this because there was a man that came into our facility and he said -- I asked him how he was and he said, oh, not good. He said because the landfill isn't going to use my product anymore.

That is when they started to use the water truck to keep the dust out. And that
water truck may be, you know, a cost effective way for them to deal with keeping the dust down. But instead of dealing with dust, now you're dealing with mud.

MR. MCHALE: Vito, do you think you could go meet with Mr. O'Brien and bring Mr. Edwards' concerns?

MR. RUGGIERO: Sure.

MR. EDWARDS: Mr. O'Brien knows my concerns.

MR. MCHALE: Can you speak on behalf of Council? I don't want to speak for everybody but I think I do that everybody agrees that there's issues up there that need to be addressed immediately.

MR. RUGGIERO: Sure.

MR. MCHALE: And on a positive note, I have been telling you this for two years every time -- the once a week I see you cleaning my car. We are having a street sweeper state of the art delivered, this week?

ATTY. CUMMINGS: Before the first of the year.

MR. MCHALE: Not that it will be out in the winter but we'll be over helping, I
promise.

MR. EDWARDS: Thank you.

MR. MCHALE: Thank you.

MR. MCGRAW: I have something. Jim McGraw, Delaware Street. Point of information that I would like to receive if you have any answers on it is the impact fee that the drillers up in the other counties -- the gas drillers, there's an impact fee that they pay into I believe the state.

And road damage up in that neighborhood as I understand it I called Kevin Haggerty, I've been laid up for a month. I didn't get the answer. But if there's money available up in that area for roads, damage, and other problems that the gas drillers caused, well, you have any number of their trucks entering that dump that come in with the residue that we don't know if it's healthy or not to start with, but these vehicles do come to the dump up there.

And when they come, that they must have an impact on this community. And if the rural areas -- you hear them fixing sidewalks, fixing roadways, you have maybe a $300,000
problem up on the dump road, right, that you're looking for money for; and if this money is available in the state -- now, one that I did call they said, well, maybe there would be legislation.

You can't wait for legislation because right now you're not going to get anything approved against the oil and fuel companies, you know. It doesn't look in the foreseeable future that you get anything out of Harrisburg.

So what you have to go after is the legislation that is already in. And if there is an impact fee, why can't we get money out of it because it does affect us directly, not just indirectly.

So, you know, somebody that has the authority to seek this information, maybe it's available. Maybe we can get money and help this gentleman out. But like I said, if I was up around, I'd have some figures for you.

Thank you.

MR. MCHALE: Thank you, Mr. McGraw.

MR. DEMPSEY: Thanks.

MR. MCHALE: I think it's a good
idea worth looking into. Anybody else like to address Council tonight?

(No response.)

MR. MCHALE: Seeing none.

ATTY. CUMMINGS: Public officials.

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

MR. RUGGIERO: No.

MR. MCHALE: Attorney Cummings?

ATTY. CUMMINGS: No, sir.

MR. MCHALE: Mr. Judge?

MR. JUDGE: No, sir.

MR. MCHALE: Mr. Kearney?

MR. KEARNEY: Nothing.

MR. MCHALE: Chief DeNaples?

CHIEF DENAPLES: Nothing tonight.

MR. MCHALE: Did I miss anybody?

Vince, do you want to start us off tonight?

MR. AMICO: Very quickly, Sharon, I'll e-mail Colleen tonight when I get home regarding this issue and also regarding the truck wash. And everybody have a nice holiday. Thank you very much for coming tonight.

MR. MCHALE: Mr. Hallinan.

MR. HALLINAN: Tommy, can you tell
me -- you were going to get a report on the
delinquent refuse fees that we had outstanding?

ATTY. CUMMINGS: Yeah, the profit
versus loss for the year shows that we had
optimistically stated 25,000. But we're
already at $40,000. We're at 162 percent
collections. I presume that will keep going
up. And then when the final letters go out,
we'll revisit the matter. And then Council can
decide if they want to file a lien which adds a
significant cost -- not property of the Borough
but costs at recording, etc. So we're 40
grand.

MR. HALLINAN: Thank you. Also,
Vito, you'll request a traffic study from
PennDOT over at Monahan and O'Neill Highway?
We want a traffic study there, please.

MR. MCHALE: Yeah.

MR. HALLINAN: And also I want to
thank the DPW for one, picking up all the
leaves. My God, just driving around the sixth
ward, you deserve a metal for that. And the
snow removal, your gentlemen did an outstanding
job. It got a little dicey there the other
night. Thank you for doing a good job. And I
would like to just say thank you to Mike McHale for working very hard on this budget.

And, you know, it's pretty eye opening when you see the numbers and the unions and dealing with everything that goes on here. And I just want to say thank you, Mike, for the hard work you put in, the countless hours. That alone is a savings without hiring somebody to do what you do.

And it's, you know, you helped this town out. I'm very thankful for what you do. And I would like to thank everybody for coming and say Merry Christmas to everybody. Thank you.

MR. MCHALE: Thanks, Tom. Attorney Dempsey.

MR. DEMPSEY: Yeah, very quickly, I'm glad, Chief, that you're here. Last night I was at the same basketball camp that Mrs. O'Donnell referenced when I got a text message on my phone that I get all the fire calls that come in.

And it happened to be my address while I was sitting here. We had a -- we -- a little bit of mishap meaning my wife but I
won't admit -- you guys were terrific. I tried
to thank every one of them. I couldn't get to
all of them. It looked like the entire block
was on fire.

So I apologize to the neighbors.
But thank you. You guys were terrific and
please pass along my gratitude. That's all I
have.

MR. MCHALE: Thank you, sir.
Mr. Verrastro.

MR. VERRASTRO: I have nothing
tonight.

MR. MCHALE: Mr. Burke.

MR. BURKE: Yes, Vito, I was
wondering if you could check into everything
Mr. McGraw said about the impact fee if there
is any way to recover any of that money.

And also, a street cleaner is really
in need for Mill Street very badly. If you
drive up Mill Street with all the work that's
going on there, same thing, you can't go up
that street with a clean car when another car
is going down another way.

If we can get something up there to
get that street cleaned at least once a day
while they are doing this work up there because it's really bad. And I would like to wish everybody a Merry Christmas. Thank you.

MR. MCHALE: Thanks, Tim.

Mrs. Scrimalli.

MS. SCRIMALI: I would also like to thank the DPW Department and Didge for a great job on the roads. It was incredible. It was so dangerous. We appreciate you so much. And also, Chief, with the fire department you guys are great. Thank you so much. And I would just like to thank everyone for coming and have a great Christmas.

MR. MCHALE: Thanks, Mrs. Scrimalli.

I did get that text too. Literally, a pizza box caught on?

MR. DEMPSEY: Yeah.

MR. MCHALE: I did most of the speaking tonight so I'll be quick. Mr. Judge, I talk to you all of the time. And I couldn't thank you more for everything that you have done specifically, you know, it's easy for us to try to get you the equipment that you have.

But when you have guys to get out and do the work like you guys have done
comparing -- when I left my home today and
driving through Scranton seeing the difference
as you go across the line, it is unbelievable
and still is unbelievable.

So thank you. Please pass it along
to your men and continue your hard work. I
assume we're okay with salt and everything,
Didge? I know you're always on top of that.

MR. JUDGE: Yes, we just ordered
some today.

MR. MCHALE: All right. With that,
I wish everybody a happy holidays and I'll look
for a motion to adjourn.

MR. DEMPSEY: Motion.

MR. MCHALE: Second?

MR. HALLINAN: Second.

MR. MCHALE: All in favor?

ALL MEMBERS: Aye.

MR. MCHALE: We're adjourned.
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.

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Maria McCool, RPR
Official Court Reporter

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