



BOROUGH OF DORMONT

**REGULAR MEETING OF THE DORMONT BOROUGH COUNCIL
HELD ON MONDAY, MARCH 7, 2016 7:00PM
IN THE DORMONT MUNICIPAL CENTER COUNCIL CHAMBERS**

Council President Maggio called the Meeting of the Dormont Borough Council to order at 7:00PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

The following members of Council responded to roll call:

Robert Palmieri, Jeff Fabus, Kate Abel, Daniele Ventresca, Drew Lehman, Joan Hodson,
John Maggio

Also present: Borough Manager Ben Estell
Solicitor John Rushford
Mayor Phil Ross
Junior Council Member Dana Nardozzi

REGISTERED COMMENTS FROM THE PUBLIC

Paul Towhey is going to speak later in the meeting.

COMMENTS FROM THE MAYOR

Chief Bisignani informed that the Police Department responded to 228 calls for service during the month of February. Bisignani briefed on street sweeping starting April 1.

COUNCIL PRESIDENT'S REPORT

None.

BOROUGH MANAGER'S REPORT

Estell briefed on the GAP Audit, Liquid Fuels Audit and Pension Audit. Estell informed that he spoke with Lehman to discuss having a committee meeting to review the Borough's Audits with the members of Council.

Estell briefed on the Potomac Avenue project. Estell informed that during the April Council Meeting he should be able to show the residents and businesses what this project could look like.

CONSENT AGENDA

Motion by Ventresca, second by Abel to accept Consent Agenda Items A, B, C, D, E, F, G, H, I, J, K, L (A. Motion to accept the written report of the Borough Solicitor, B. Motion to approve the written reports of Borough Officials, C. Motion to approve the Minutes of the February 1, 2016 Council Meeting, D. Motion to approve the Minutes of the February 11, 2016 Special Council Meeting, E. Motion to approve the Warrant list for February 2016, F. Motion to accept the recommendation of the Manager to approve contract with Zambelli Fireworks to provide fireworks at Dormont Day for \$13,750.00, G. Motion to accept the recommendation of the Manager to approve Jeffrey Fabus as a member of the Recreation Board, H. Motion to accept the recommendation of the Manager to approve Kara Walsh as a member of the Recreation Board, I. Motion to accept the recommendation of the Manager to approve Monique Fontaine as a member of the Recreation Board, J. Motion to accept the request of the Tax Collector to exonerate him from 2015 uncollected taxes, K. Motion to accept the recommendation of the Engineer to approve proposal from Robinson Pipe Cleaning, Inc. in the amount of \$6,210.00 to review CCTV data and prepare NASSCO reports, L. Motion to accept the recommendation of the Manager to approve engagement letter with Cafardi Ferguson Wyrick Weis + Stotler, Ilc to represent the Borough of Dormont).

(Fabus abstained from Consent Letter G and Ventresca abstained from Consent Letter I)

Ventresca had questions about the Warrant list.

Motion carried 7-0.

ACTION ITEMS

- A. Motion by Lehman, second by Abel to Override Mayoral Veto of Ordinance #1614.
- i. Council Discussion: Palmieri distributed a statement concerning Stormwater and briefed on his views. *Statement attached.* Palmieri presented a slide show. Abel expressed the reason for her vote. Fabus presented a slideshow. *Slides attached.* Paul Towhey, 1442 Edgehill Avenue RE: Asked Fabus who is the staff member is working for that he mentioned in his slideshow. Bob Hutchison, 1332 Illinois Avenue RE: Expressed that he is in favor of the Mayor's Veto. Ventresca asked if the Borough is in compliance with MS4 requirements. The Borough Engineer McVicar briefed on the MS4 requirements. Ventresca asked Fabus about his plans to meet with the Stormwater Authority to put a moratorium together on all spending except for what is required. Ventresca verified with Fabus that if the Stormwater Authority doesn't agree to the moratorium that he would initiate an Ordinance to repeal the Stormwater Authority. Fabus verified. Ventresca asked if the Borough would have to go through the whole process again if the repeal went through. Rushford informed that the process would have to start over. Mayor Ross briefed on his conversations with Maggio about his decision to Veto. Lehman briefed on his views with the above motion and bringing Stormwater in house. Hodson expressed her concerns of eliminating the Stormwater Authority. Mayor Ross briefed on his Veto. Maggio gave figures on the expenses for Stormwater and his views on this issue.
 - ii. Public Comment: Matt Hamilton, 3246 Waltham Avenue RE: Presented a slideshow. *Slides attached.* Paul Towhey, 1442 Edgehill Avenue RE: Briefed on his views with Stormwater and that he disagrees with having a Stormwater Authority. Susan Bimle, 2941 Espy Avenue RE: Against the Stormwater Authority and asked why the Borough is not complying with the stormwater catch basins. Michelle Ross, 3251 Beacon Hill Avenue RE: Cost of cleaning out stormwater catch basins.

Dr. Richard Grubb, 2847 Glenmore Avenue RE: Handling Stormwater in house and asked the Mayor about his Veto.

Maggio read an email from George and Karen Larson at 2967 Belrose Avenue in regards to Stormwater and bringing it in house. Maggio also read a letter from Eileen Leo asking Council to dissolve the Stormwater Authority.

Frank Stumpo, 2923 Belrose Avenue, Former Chair of the Stormwater Committee - Council never approached the Stormwater Committee with any questions or concerns in the past except Lehman.

Roll call: Palmieri, No; Fabus, No; Abel, Yes; Maggio, Yes; Ventresca, Yes; Lehman, Yes; Hodson, No.

Motion fails 4-3.

B. Motion by Ventresca, second by Lehman to replace Resolution 15 of 2015, authorizing the Borough of Dormont to Enter into an Updated Interim Consent Order and Agreement with the Allegheny County Health Department.

i. Council Discussion: None.

ii. Public Comment: None.

Motion carried 7-0.

C. Motion by Lehman, second by Abel to accept recommendation of the Manager to approve contract with Jeff Ellis Management to manage the Dormont Pool in 2016 for \$116,412.36.

i. Council Discussion: Maggio briefed on why he was voting against this motion.

ii. Public Comment: None.

Roll call: Palmieri, Yes; Fabus, Yes; Abel, Yes; Ventresca, Yes; Lehman, Yes; Hodson, Yes; Maggio, No.

Motion carried 6-1.

DISCUSSION ITEMS

Palmieri briefed on the Borough's Comprehensive Plan, Dream Dormont.

CITIZENS' COMMENTS

Seth Davis, 3061 Latonia Avenue RE: Dream Dormont.

Ventresca briefed on upcoming events at the Hollywood Theater and Dormont's annual Easter Egg Hunt.

EXECUTIVE SESSION

Personnel

ADJOURNMENT

COUNCIL VOTES for 2015 and 2016 related to stormwater

2015

December 7th

ACTION ITEMS Motion by Costanzo, second by Martino to approve Total Maximum Daily Load Strategy Plan. Public Comment: Council Discussion:

Motion carried 7-0

Motion by Costanzo, second by Martino to approve a Resolution of the Commonwealth of Pennsylvania Department of Environmental Protection Consent Order and Agreement. Public Comment: Council Discussion:

Motion carried 7-0

November 2, 2015 Bill McCarney was not present

Motion by Costanzo, second by Fabus to approve proposed Ordinance #1610, regulating non-storm water discharges to the storm drainage system to comply with National Pollutant Discharge Elimination System. Borough Engineer McVicar gave an explanation of the ordinance. Public Comment: Council Discussion:

Motion carried 6-0.

Motion by Costanzo, second by second by Fabus to approve proposed Ordinance #1611, to implement updated Stormwater management controls as required by federal and state regulations. McVicar gave an explanation of the ordinance. Public Comment: Council Discussion:

Motion carried 6-0.

Motion by Costanzo, second by Martino to advertise the Commonwealth of Pennsylvania Department of Environmental Protection Consent Order and Agreement. Rushford gave a brief explanation of the agreement. Public Comment: Council Discussion:

Motion carried 6-0

Sept 8 2015 Joan Hodson and Jeff Fabus were not present

- A. Motion by Costanzo, second by Martino to advertise proposed Ordinance #1610, regulating nonstorm water discharges to the storm drainage system to comply with National Pollutant Discharge Elimination System. Public Comment: Council Discussion:

Motion carried 5-0.

- B. Motion by Costanzo, second by Maggio to advertise proposed Ordinance #1611, to implement updated Stormwater Management Controls as required by federal and state regulations. Public Comment: Council Discussion

Motion carried 5-0.

Aug 3, 2015 Drew Lehman was not present

- C. Motion by McCartney, second by Hodson to retain David French, at a cost not to exceed \$10,000.00, for preparation for MS4 compliance. Public Comment: Council Discussion:

Motion carried 6-0.

April 6, 2015

- D. Motion by Martino, second by Hodson to accept the recommendation of the Borough Engineer to award Contract A, Spot Lining and Grouting, to Robinson Pipe Cleaning for \$55,287.50 and to award Contract B, Excavation and Spot Repair, to Niando Construction, Inc., for \$54,649.00, with both awards contingent upon the review and approval of the Solicitor. Public Comment: None. Council Discussion: None. McVicar and McCartney briefed on the projects.

Motion carried 7-0.

March 2, 2015

- C. Motion by Martino, second by Costanzo to accept the Borough Engineer's recommendation to award the 2015 Cured-In-Place Pipe Lining Contract to Insight Pipe Contracting, LP for a cost of \$102,233.88.

March 2, 2015 Regular Meeting of Dormont Borough Council 4 Public Comment: None. Council Discussion: McCartney briefed on this Motion.

Motion carried 7-0

G. Motion by Martino, second by Hodson to adopt Resolution 2015-03 in support of the Community Infrastructure & Tourism Fund Grant Application for the Athens Alley Project; Grant application for \$250,000.00. Public Comment: None. Council Discussion: McCartney briefed on the grant.

Motion passed 7-0

2016

Feb 1

Motion to accept recommendation of the Engineer to approve Agreement with Gateway Engineers to conduct a Flow Isolation Study.

Motion passed 7-0

Resolution that stated in part:

WHEREAS, Dormont Borough recognizes the importance of proper stormwater maintenance and the impact it has on the environment

WHEREAS, Dormont Borough also recognizes they are ultimately responsible for complying with Federal MS4 regulations

Motion passed 4 to 3 with Fabus, Hodson and Palmieri voting against

FACT 1: As elected officials we have a fiduciary responsibility to the residents of Dormont

FACT 2: Based on the stormwater authority budget, the taxpayers could save \$104,000 a year by doing the work in house without another level of government.

Example a) From information received from the Authority, incorporating the Stormwater Authority in to the current Borough web site would save approximately \$10,000.00 one time cost and approximately \$5,000.00 per year after initial launch.

Example b) From information received from the Authority, eliminating the Stormwater Authority would save an etimated \$500.00 cost for a logo, as the logo would be incorporated in to the Borough web site and documentation.

FACT 3:

a) The money that could be saved by eliminating Stormwater Authority adminstrative costs after six months, approximately \$52,000, could fund the Street Fair, Dormont Days, Cookies with Santa and the Easter Egg Hunt

b) The money that could be saved by eliminating Stormwater Authority adminstrative costs after one year, approximately \$104,000, could purchase 2 police cars.

c) The money that could be saved by eliminating Stormwater Authority adminstrative costs after five years, \$520,000, the Borough could repair Athens Alley.

d) The money that could be saved by eliminating Stormwater Authority adminstrative costs after seven years , \$728,000, the Borough could purchase a new Fire Truck.

FACT 4: Eliminating the Stormwater Authority and associated fees, while allowing the Borough to manage the projects in house,would save the average homeowner \$50 to \$60 dollars per year.

FACT 5: The vote to eliminate the stormwater authority is not related to HB 1394. House Bill 1394 does not need to pass, but when it does it will be another tool to utilize.

Fact 6 The Stormwater Authority allows the following methods of assessment –

Any fee levied by the borough can be assessed in one of the following methods:

- (1) On all properties in the borough
- (2) On all properties benefited by a specific storm water project
- (3) By establishing a storm water management district and assessing the fee on all property owners in the district

Facts 7 and 8 address the two concerns of Mayor Ross.

FACT 7: The Sewer Fund has a budget over \$5 million and is also required to fulfill certain mandates, however there is a lack of interest in creating another level of government a sewer authority would bring. Council does not handle this as they will not be handling storm water issues either. The level of expertise required will be with our manager and the two additional employees that will be hired, an office assistant and an engineer, by doing the work in house and saving the taxpayers an estimated \$104,000 a year.

FACT 8: Up until 2015, MS4 compliance requirements were minimal and Dormont Borough was able to comply in the annual report with a brief statement of compliance for MCMs. In 2015 strict guidelines were issued from the DEP with regards to just what would be required to address the 6 MCM's. Our Borough Engineer anticipates we will be in full compliance.

FACT 9: To reiterate, eliminating the Stormwater Authority and associated fees, while allowing the Borough to manage the projects in house, would save approximately \$520,000.00 over 5 years.

Fact 10:

- a) With elimination of the Stormwater Authority this evening I am prepared to make a motion and vote in favor of adding a 3 person Council Stormwater Committee consisting of Jeff Fabus, Robert Palmieri and Joan Hodson

- b) With elimination of the Stormwater Authority this evening I am also prepared to make a motion and vote in favor of creating an official Borough Volunteer Stormwater committee, keeping the same five people that presently represent the stormwater authority and adding two seats to be determined by Mr Fabus.

BOROUGH OF DORMONT

	2016	2017	2018	2019	2020	2021	6 Year Total
Original SWA Projected Spend	\$ 967,136.60	\$ 1,158,574.75	\$ 835,742.67	\$ 1,316,227.95	\$ 701,019.78	\$ 719,860.38	\$ 5,171,272.12
Administration Fees Only*	\$ 166,480.00	\$ 171,474.40	\$ 176,618.63	\$ 181,917.19	\$ 187,374.71	\$ 192,995.95	\$ 1,076,860.88
Minus the \$ 104,000 saved by pulling in house*	\$ (104,000.00)	\$ (107,120.00)	\$ (110,338.00)	\$ (113,642.00)	\$ (117,051.00)	\$ (102,562.00)	\$ (654,713.00)
Administration Fees still need covered*	\$ 62,480.00	\$ 64,354.40	\$ 66,280.63	\$ 68,275.19	\$ 70,323.71	\$ 90,433.95	\$ 422,147.88
SWA Projected cost with updated Admin Fees	\$ 863,136.60	\$ 1,051,454.75	\$ 725,404.67	\$ 1,202,585.95	\$ 583,968.78	\$ 617,298.38	\$ 4,516,559.12
.038 Mill increase	\$ 133,000.00	\$ 133,000.00	\$ 133,000.00	\$ 133,000.00	\$ 133,000.00	\$ 133,000.00	\$ 798,000.00
Amount still need to fund * with 3% increase per year	\$ 730,136.60	\$ 918,454.75	\$ 592,404.67	\$ 1,069,585.95	\$ 450,968.78	\$ 484,298.38	\$ 4,245,849.12

SWA Fee projection \$ 456,867.00 \$ 456,867.00 \$ 456,867.00 \$ 456,867.00 \$ 456,867.00 \$ 456,867.00 \$ 2,741,202.00

Bond 1 \$ 700,000.00 \$ 700,000.00 \$ 85,000.00
 Bond 4 \$ 41,333.00 \$ 50,995.00 \$ 12,999.00
 2016 Construction (Potomac, Streets and Alleys) \$ 225,000.00 \$ 225,000.00 \$ 225,000.00 \$ 225,000.00 \$ 225,000.00 \$ 225,000.00
 2017 Construction (Potomac, Streets and Alleys) \$ 975,995.00 \$ 547,999.00 \$ 225,000.00 \$ 450,000.00 \$ 450,000.00 \$ 450,000.00

Total Bond Payments \$ 741,333.00 \$ 975,995.00 \$ 547,999.00 \$ 450,000.00 \$ 450,000.00 \$ 450,000.00 \$ 2,250,000.00

2016 Expenses \$ 8,903,705.00 \$ 9,170,816.15 \$ 9,445,940.63 \$ 9,729,318.85 \$ 10,021,198.42 \$ 10,321,834.37
 2016 Revenue \$ 8,903,826.00 \$ 9,170,940.78 \$ 9,446,069.00 \$ 9,729,451.07 \$ 10,021,334.61 \$ 10,321,974.64
 Construction Loan \$ 1,000,066.00 \$ 1,000,066.00 \$ 1,000,066.00 \$ 1,000,066.00 \$ 1,000,066.00 \$ 1,000,066.00
Revenue vs Expense \$ 121.00 \$ 124.63 \$ 128.37 \$ 132.22 \$ 136.19 \$ 140.27

2016 Expenses \$ 8,903,705.00 \$ 9,170,816.15 \$ 9,445,974.63 \$ 9,729,252.85 \$ 10,021,132.42 \$ 10,321,768.37
 Remove Storm Water Fee \$ (19,500.00) \$ No Loan
 Add in Admion Fee \$ 62,480.00 \$ 62,480.00 \$ 62,480.00 \$ 62,480.00 \$ 62,480.00 \$ 62,480.00
 \$ 8,946,685.00 \$ 9,233,296.15 \$ 8,508,354.63 \$ 8,791,732.85 \$ 9,083,612.42 \$ 9,384,248.37

2016 Revenue \$ 8,903,826.00 \$ 9,170,940.78 \$ 9,446,003.00 \$ 9,729,385.07 \$ 10,021,268.61 \$ 10,321,908.64
 Remove Storm water line \$ (101,783.00) \$ No Loan
 Add in the .038 \$ 133,000.00 \$ 133,000.00 \$ 133,000.00 \$ 133,000.00 \$ 133,000.00 \$ 133,000.00
 \$ 8,935,043.00 \$ 9,303,940.78 \$ 8,579,003.00 \$ 8,862,385.07 \$ 9,154,268.61 \$ 9,454,908.64
Excess Revenue \$ (11,642.00) \$ 70,644.63 \$ 70,648.37 \$ 70,652.22 \$ 70,656.19 \$ 70,660.27

2016 beginning of year surplus \$ 850,000.00

2016 Expenses	\$ 8,903,705.00
Remove Storm Water Fee	\$ (19,500.00)
Ad mins fees needed	\$ 62,480.00
New 2016 Expenses	\$ 8,946,685.00
2016 Revenue	\$ 8,903,826.00
Remove Storm water line	\$ (101,783.00)
Add in the .038	\$ 133,000.00
New 2016 Revenues	\$ 8,935,043.00
New Finance deficit	\$ (11,642.00)

EFFECTIVE DECISION MAKING – ELECTED OFFICIALS

Authored by Matt Hamilton
02/24/2016

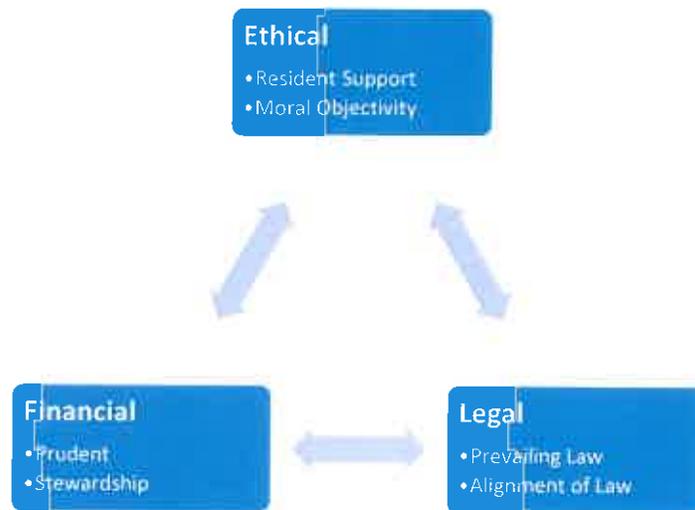
Elected Officials are expected to represent their constituents effectively. The effectiveness of an Elected Official is measured by the consistency and prudence of decisions they make in the form of motions, bills, and votes. It should be an expectation and requirement of any elected official to have process and code by which they evaluate issues and proposed solutions. I have taken the time to write down my personal approach with a desire that someone either currently elected or interested in election for Dormont Council gains positively from my personal beliefs. I will be using the recent decisions related to the Storm Water Authority as an example.

Respectfully,
Matt Hamilton

DECISION-MAKING TRIANGLE

In order to meet the calling of consistency and prudence, any Elected Official should have a process by which they evaluate an issue or solution. I believe three driving factors are appropriate, outlined and diagrammed below:

- Ethical:** Does the need have residential support and pass the “moral objectivity” test?
- Financial:** Is this the most prudent solution? Does the outcome support the obligation as a “financial steward” of taxpayer investments?
- Legal:** Is the need aligned with prevailing law? Is the prevailing law aligned ethically and financially?



Upon internal evaluation of the key factors, it is recommended to apply a score to each category. While there are sometimes circumstances that would cause a sliding scale to more heavily weight one category over another, generally speaking, if the score should drive your decision. I use a scale of one (1) to ten (10). One meaning that particular category is not supported and ten meaning there is an overwhelming amount of support. Therefore if the total score isn't at least sixteen (16), a better solution exists. The next sections are a provided example based on personal evaluation.

EFFECTIVE DECISION MAKING – ELECTED OFFICIALS

Authored by Matt Hamilton
02/24/2016

ETHICAL EVALUATION – THE DORMONT STORM WATER AUTHORITY (DSWA)

There are two primary considerations as it relates to ethical considerations of an Elected Official:

- I. Resident Support. Since 02/02/2015 (one year), there have been a total of eight recorded comments from residents related to DSWA. Seven of those residents taking personal time and willing to publicly speak have been against the DSWA; one of those residents has supported the DSWA. Additionally, there have been twelve public figures associated with either support or against DSWA during the same time period:

Support DSWA	Against DSWA
Jeff Naftal, Borough Manager – Resigned under pressure	Drew Lehman, Councilperson – Elected in 2013
Bill McCartney, Council President – Resigned under pressure	John Maggio, Councilperson – Elected in 2015
Valerie Martino, Councilperson – Resigned after losing 2015 election (primary & general)	Kate Abel, Councilperson – Elected in 2015
Onnie Costanzo, Councilperson – Resigned after losing 2015 election (primary & general)	Daniele Ventresca, Councilperson – Elected in 2015
Phil Ross, Mayor – Elected in 2013	
Joan Hodson, Councilperson – Elected in 2013	
Jeff Fabus, Councilperson – Elected in 2013	
Robert Palmieri, Councilperson – Appointed by Fabus, Hodson, Martino, Costanzo in 2015 (one week prior to Martino/Costanzo resignation)	

With a public comment ratio of 7:1 against and a recent electoral representation of 3-0 against, it is clear and OBJECTIVE that Resident Support is against the DSWA. 0 points in favor of DSWA.

- II. Moral Objectivity. This category is founded on the fundamental principles of right conduct rather than enactment or custom. This entire process outline is indicative of personal principles. It does not require coercion or collusion. The bottom line here is to ask yourself if you believe there has been persuasive conversation used to pre-determine an outcome. I can tell you that I resigned from the Storm Water Committee because it was obvious that the outcome was pre-determined. I know from first-hand experience that Robert Palmieri was appointed to goat John Maggio and that Valerie and Onnie stayed on to support that appointment, because in lieu of that appointment a 5-2 vote would be a super majority that could not be vetoed by Mayor Ross. It is clear that the public officials supporting the DSWA

EFFECTIVE DECISION MAKING – ELECTED OFFICIALS

Authored by Matt Hamilton

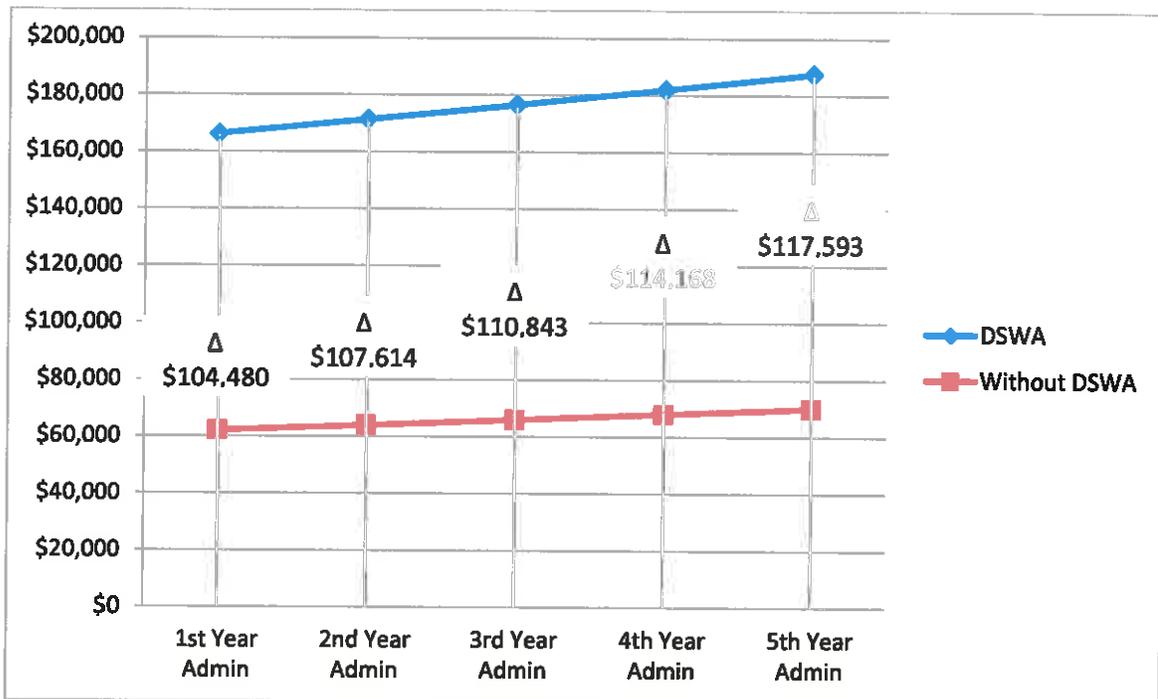
02/24/2016

are aligned with themselves as opposed to enacting a personal approach such as outlined throughout this document. **0 points in favor of DSWA.**

FINANCIAL EVALUATION – THE DORMONT STORM WATER AUTHORITY (DSWA)

There are two primary considerations as it relates to the financial considerations of an Elected Official:

- I. **Prudence.** Implies that the bottom-line evaluation, true to only numbers is considered. The submitted, and UNDISPUTED projections for administrative costs over five years of “Supporting DSWA” versus “Against DSWA” is graphed below:



As demonstrated above, the project savings for the position against DSWA is \$554,699 over five years. Important to note that because of the effect of a compounding yield of a fixed 3% adjustment, the second term of 5 years would net a savings of \$643,048. In other words, the savings without DSWA would be greater each year. **0 points in favor of DSWA.**

- II. **Stewardship.** Considers additional factors and revenue sources as alternatives to the “Prudence” measures. This measure allows for evaluation of creative solutions that may be unique to a bottom-line result that otherwise would seem obvious. As opposed to going through the budget line-by-line, I evaluate the primary advantage to each option. The DSWA does present a case for isolated funds, however does not have the authority to leverage surplus’ from alternative sources, such as the expiring bonds. Each has it’s merit. **2.5 points in favor of DSWA.**

EFFECTIVE DECISION MAKING – ELECTED OFFICIALS

Authored by Matt Hamilton

02/24/2016

LEGAL EVALUATION – THE DORMONT STORM WATER AUTHORITY (DSWA)

Because I am not a lawyer, I can only evaluate the prevailing law and assume its intent. After interpreting the intent, the goal is to understand if the effects align with the principles of government.

To understand intent we must understand the problem the law is trying to solve.

1. Pennsylvania is one of the most flood prone states in the country
2. Changes in land use and ineffective storm water management increased flooding problems in many watersheds
3. Storm water runoff carries significant quantities of pollutants washed from altered land surfaces, including:
 - a. Nutrients
 - b. Organic chemicals
 - c. Petroleum hydrocarbons
4. As a result of the compounding effect of increased events and altered land surfaces, natural stream channels experience more frequent bank full or near bankfull conditions. Streams begin to change shape and form interrupting surrounding life (aquatic, land, and air).

Bottom-line, the intent of the prevailing law the DSWA is intended to oversee is intended to manage these issues.

Alignment of Law.

Do the laws governing the problem align to the proposed solution? In other words, how does a non-elected body formed to collect a tax (under any name) support the Prevailing Law?

- Ever hear of “No taxation without representation”?
- General Assembly must adhere to mandates of accountability and transparency that the Constitution requires when exercising legislative taxing authority permitted by the Constitution.

5 of 10 points.

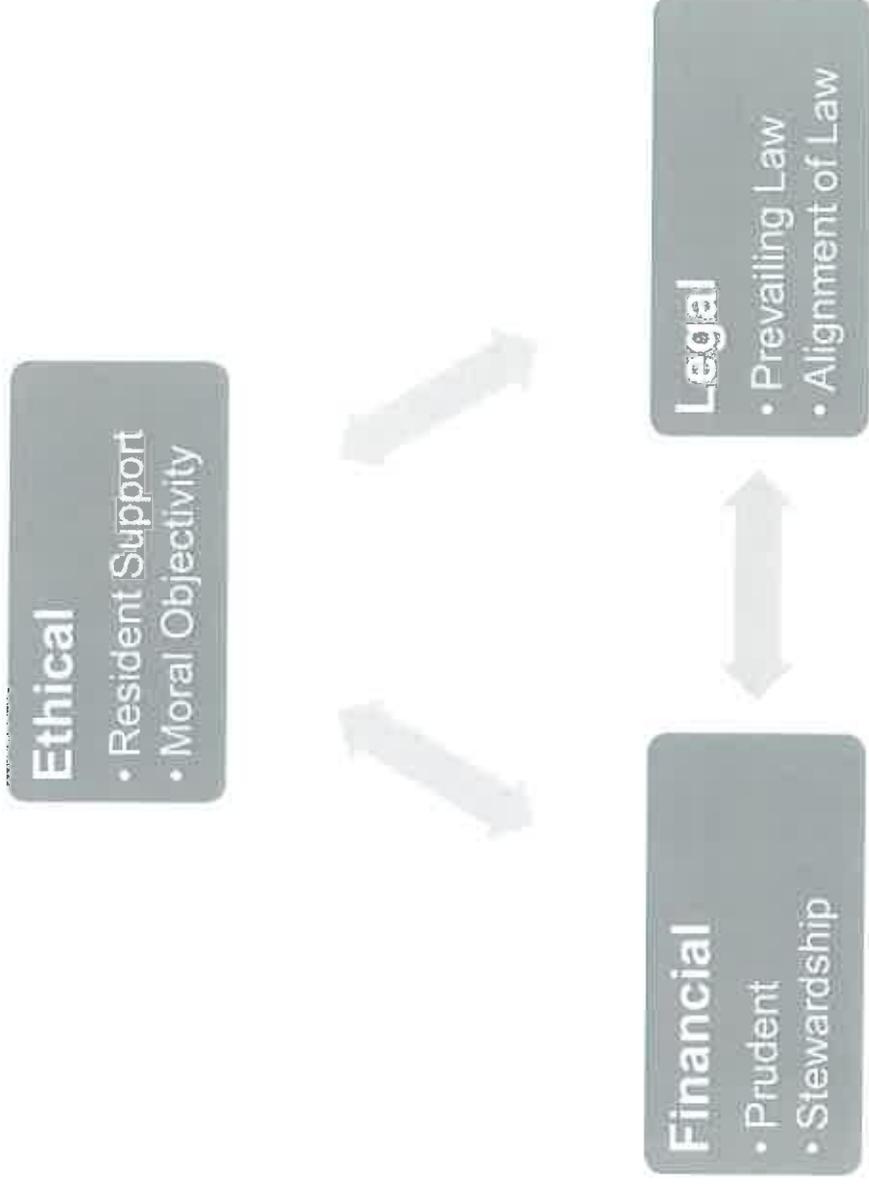


EFFECTIVE DECISION MAKING -- ELECTED OFFICIALS

Authored & Presented by:

Matt Hamilton

Decision Making Triangle



30
Points

Ethics

Recorded Public Comment

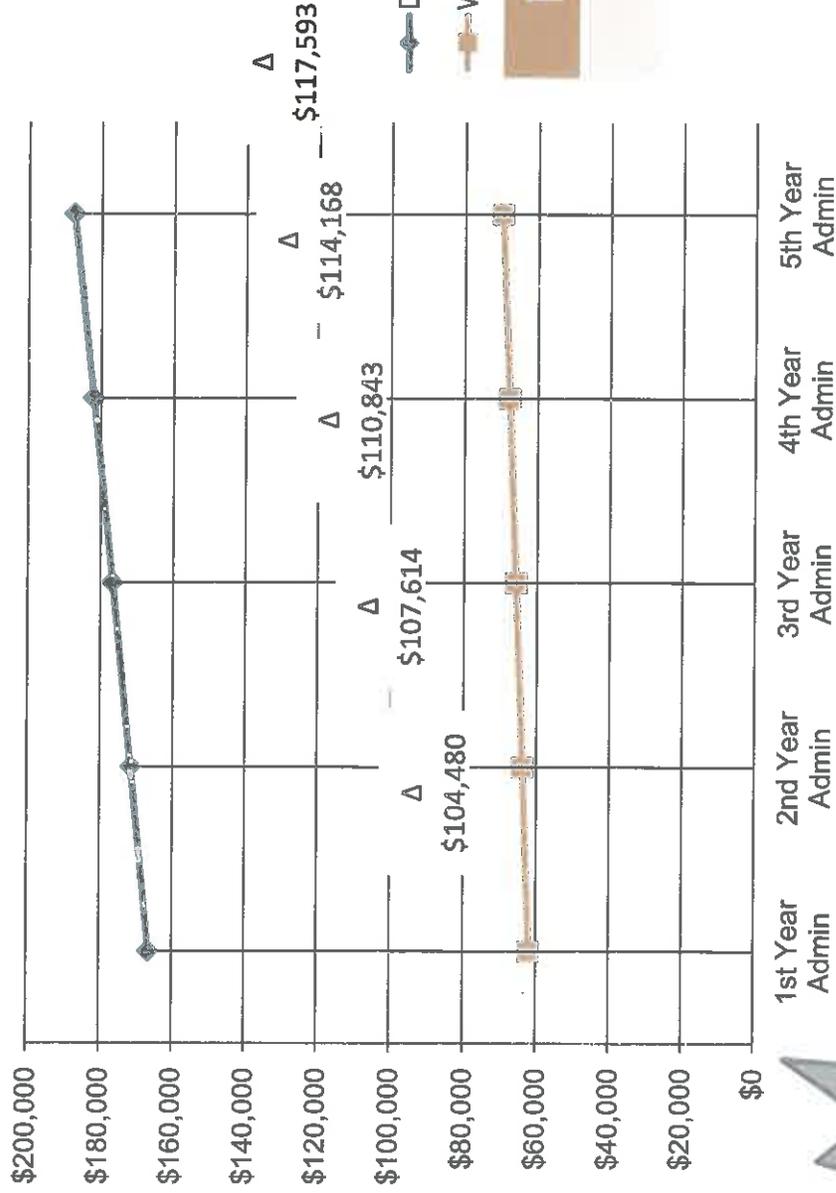
7:1 Ratio
Against



Electoral Base

Support DSWA	Against DSWA
Jeff Naftal, Borough Manager – Resigned under pressure	Drew Lehman, Councilperson – Elected in 2013
Bill McCartney, Council President – Resigned under pressure	John Maggio, Councilperson – Elected in 2015
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Phil Ross, Mayor – Elected in 2013	
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Jeff Fabus, Councilperson – Elected in 2013	
Robert Palmieri, Councilperson – Appointed by Fabus, Hodson, Martino, Costanzo in 2015 (one week prior to Martino/Costanzo resignation)	

Financial - Prudent

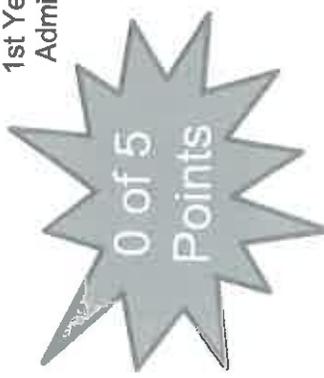


First Five

\$554,699

Second Five

\$643,048



Financial - Stewardship

Borough Staff & Council

- Authority to use alternative Funds

New Authority

- Funds isolated from separate use

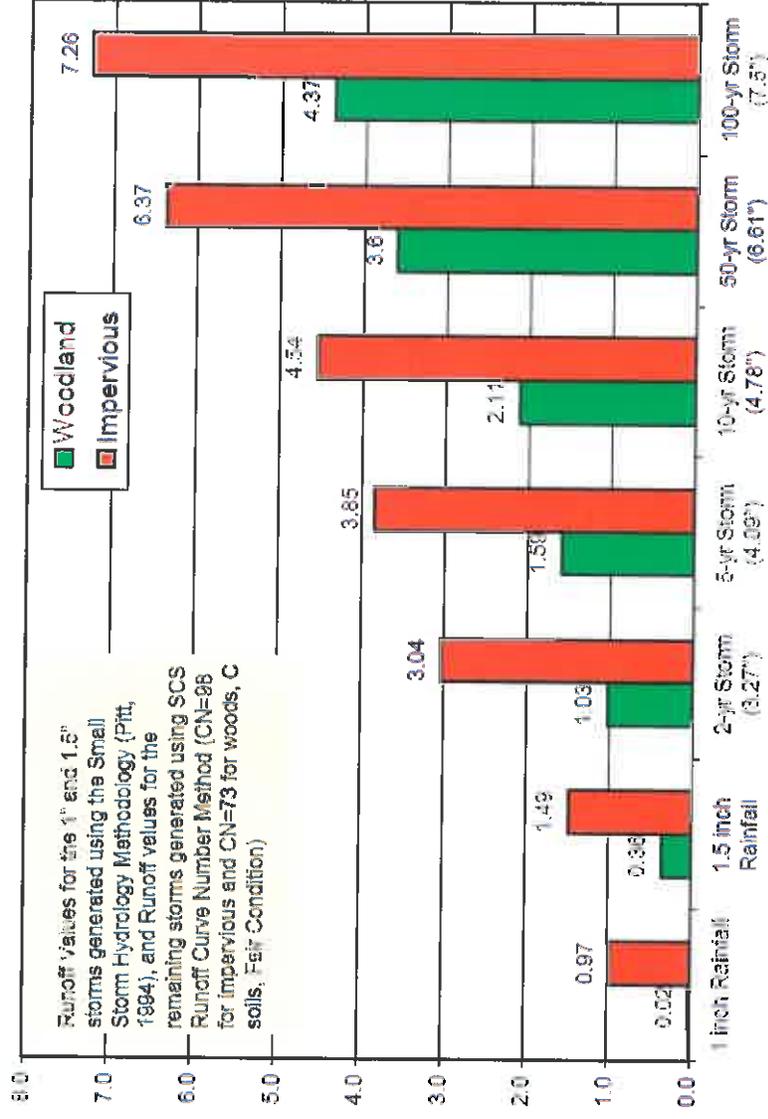


2.5 of 5
Points

The Problem*

- Pennsylvania is one of the most flood prone states in the country
- Changes in land use and ineffective storm water management increased flooding problems in many watersheds
- Storm water runoff carries significant quantities of pollutants washed from altered land surfaces, including:
 - Nutrients
 - Organic chemicals
 - Petroleum hydrocarbons
- As a result of the compounding effect of increased events and altered land surfaces, natural stream channels experience more frequent bank full or near bankfull conditions. Streams begin to change shape and form interrupting surrounding life (aquatic, land, and air).

Runoff Volume from Woodland and Impervious Surfaces



Location	Frequency of Occurrence (Years)				
	2-year	5-year	10-year	50-year	100-year
Philadelphia	3.3	4.1	4.8	6.7	7.6
Pittsburgh	2.4	2.9	3.3	4.4	4.9
Scranton	2.6	3.2	3.7	5.4	6.4
State College	2.7	3.3	3.8	5.2	5.9
Williamsport	2.9	3.5	4.1	6.0	7.0
Erie	2.6	3.2	3.7	5.1	5.8

*Information extracted from The Pennsylvania Stormwater Best Practices Manual

Legal

Prevailing Law

- Storm Water Management Act of 1978
- Municipal Planning Code (Act 247)
- Clean Streams Law
- Federal Clean Water Act



Alignment of Law

Do the laws governing the problem align to the proposed solution? In other words, how does a non-elected body formed to collect a tax (under any name) support the Prevailing Law?

- Ever hear of “No taxation without representation”?
- General Assembly must adhere to mandates of accountability and transparency that the Constitution requires when exercising legislative taxing authority permitted by the Constitution.



Summary as Elected Official

- Total Objective Score: 7.5 of 30 (25%)
 - Ethical: 0 of 10
 - Financial: 2.5 of 10
 - Legal: 5 of 10

Actions as Resident

Because I believe the actions of certain elected officials to be malicious and acted upon collusion:

- I will be organizing a public boycott of any fees/taxes levied by a non-elected body, upon receipt of bill, I will obtain counsel
- I will be organizing a public campaign asking for signatures to encourage Jeff Fabus, Joan Hodson, Robert Palmieri, and Phil Ross to resign