

**BOROUGH OF CLARKS SUMMIT
SPECIAL MEETING
NOVEMBER 12, 2014**

The November 12, 2014 Borough Council Special Meeting was conducted on Tuesday, November 12, 2014 at 7:00 P.M. The Meeting was held in Borough Council Chambers, 2nd Floor, 304 South State Street, Borough of Clark's Summit, County of Lackawanna and Commonwealth of Pennsylvania. Council members in attendance were Herman Johnson, Mr. Vincent Cruciani, Mr. Jim Klein, Mr. Dominic Scott, Mr. David Jenkins, Gerrie Carey, Mr. Patrick Williams, Mayor Patty Lawler, and Virginia Kehoe. Absent from the meeting was Solicitor Dan Mulhern

CALL TO ORDER:

President Carey

1. PUBLIC COMMENT & INPUT:

President Carey

2. BIDS & QUOTATIONS:

President Carey

- **Purchase 2014 Ford Sedan Police Interceptor \$33,632.26:** Virginia Kehoe provided a spec sheet for Council. David Jenkins stated that he thought we were getting a Ford Explorer. Virginia Kehoe stated this is an all-wheel drive Interceptor. Pat Williams stated that this is a sedan. We are going from an SUV to a sedan. Yes that is what Chief Yarns is presenting. Virginia Kehoe also provided the Kelly Blue Book value for the 2005 Expedition. Vince Cruciani asked if this is a lease or a loan. Ms. Kehoe stated that this is a lease. Mr. Cruciani asked if we are trying to own this. Ms. Kehoe stated that it would be a lease to own. Mr. Cruciani stated that the other option is that we could just buy it. The lease is through Community Leasing Partners. Ms. Kehoe stated that Chief Yarns presented this lease and thinks it's good because it was a low rate and they were willing to take annual payments with the first annual payment not due for a year. Vince Cruciani went over the options. Option 1 is not to buy anything. Option 2 is to sell the car for \$9,000 and don't buy anything. Option 3 is to sell the vehicle, keep the \$9,000 in a fund, buy a new vehicle, and mortgage it at \$33,000. Option 4 is to buy the vehicle, apply the \$9,000 and mortgage it at \$24,000. Option 5 is to sell the vehicle apply the \$9,000 and purchase it with Capital Reserve Funds at \$24,000 and not owe anything on it. There will be almost \$4,000 in interest on the \$33,000, and \$3,000 and change on the \$24,000. Zero on our outright purchase and zero on a non-purchase. Gerrie Carey asked how much is in our Capital Reserve. Virginia Kehoe replied that there is \$175,000. The \$20,000 has not yet been transferred back into the fund. Mr. Cruciani stated that there actually should be \$195,000. Gerrie Carey asked what the return is on the Capital Reserves. Virginia Kehoe stated that the interest rate is .05%. David Jenkins stated that he was still under the assumption that we were discussing buying an Explorer. Gerrie Carey stated that Chief Yarns said if the Police had 2 all-wheel drive vehicles that would be better. Vince Cruciani stated that

Chief Yarns did discuss this with him, the 4 wheel drive sedan. One of the reasons the rate is better on this vehicle is because it sat in the show room for a year so we would be getting a new 2014, as opposed to a new 2015. Virginia Kehoe stated that Chief Yarns said that if we sell the Expedition, he wants a 4 wheel drive or all-wheel drive. If it was a 2015, it would be a couple months before we can get it. David Jenkins asked what the delivery time is on the car. Virginia Kehoe stated she is not sure, it is there, they just need to put the radio in and send it up. Ms. Kehoe said she is assuming it would take less than a week. Dave Jenkins stated that P & T to put the radio in. Ms. Kehoe stated that the dealer will put in the radio for \$125. Ms. Kehoe stated that she and Treasurer Melissa Jones have an appointment with Jim Burke and Trip Crowley to sit down and discuss better accounts. Dominic Scott stated that his position is if you want to sell the car, then sell it, if you feel that it will depreciate a lot in a year. But as far as buying another car, we are buying a DPW truck which was budgeted for. Dominic Scott would like to budget it for 2016, a police car. 2015 buy the DPW truck, 2016 we buy the police car. Dominic Scott doesn't see the need to buy this police car right now. Vince Cruciani asked if we are getting a good deal on the Explorer. It seems like we are getting between 33%-50% better than market price. Dominic Scott stated that you can do the same thing next year. Vince Cruciani stated that the one we are selling is that we are getting a pretty good price. The gamble would be two things. You would leave us with one all-wheel drive in our fleet and that is a little risky. Mr. Cruciani stated that he would like to have 2 all wheel drives just in case one broke down in the winter. Assuming that you can get through the winter with one all wheel then we would have to assume that we could get a similarly priced deal on a vehicle sitting in a showroom, that we would be able to buy next year. Mr. Cruciani stated that is the risk to the option Dominic Scott is putting forward. Herman Johnson stated that we need to go back and look at over the last 5 years, regardless of how much or how little snow we had, did we ever shut down our police department, no, and that is one. Two, he thinks we are tightening our belt a little too much with this price of buying a vehicle because you already have the budget set and now you are looking at a truck for next year and we are going to be scrambling. He will go back to the argument that he has always said, he knows we have two vehicles with high mileage and that worries him for safety reasons. Make a good decision because this could affect our budget. Vince Cruciani stated that we can get around the budget because we just put \$50,000 in the Capital Reserves. Vince Cruciani agrees with not financing it. We could trade the Expedition and buy it for \$24,000 outright. It is a good deal. David Jenkins stated that then there is no stress on the taxpayers and no safety issues with the officers and there is no budget issue. Vince Cruciani stated that there is also better gas mileage. Herman Johnson stated that he understands what they are saying but we were arguing about taking the \$20,000 off of one and now you are going to spend it. Everyone says we want to build our Capital Reserve up. Vince Cruciani stated that this should be for a project. This project came up awful fast and how are you going to ever build up your Capital Reserve; you've got a lawsuit that we are trying to get rid of. Mr. Johnson stated that just the other day Pat

Williams said that you never can tell when you might have an emergency, what direction we are going in. Herman Johnson stated that he feels uncomfortable about the lease part. Mr. Johnson stated that we can't candy cote this, he has been a police officer for over 25 years. All of these dealers, you can call around, they always have cars sitting there and they will always give you a deal. Vince Cruciani asked if this comes with any maintenance plan, compared to required maintenance on the older vehicles. Most come with a basic 3 year, 36,000 mile warranty etc. Pat Williams stated that if Vandling wants to buy this car, and fix whatever issues it has, then why can't we. Is it that bad that we can't fix it for another year? Mr. Williams is not too content with the sedan, he prefers an SUV and he goes along with Herman Johnson and Dominic Scott here. Mr. Williams stated that it would be foolish, we just put that excess money into the Capital Reserve and turn around and take it out. Mr. Williams stated that the Expedition still has lower mileage. Mayor Lawler stated that the Expedition, she signs purchase orders, there is something constantly wrong with it. It is now rusting also. Mayor Lawler doesn't know why Vandling wants it. Vince Cruciani asked if it is Vandling or Union Dale, Virginia Kehoe stated that it is Union Dale Borough. Mayor Lawler stated that he thought there was 114,000 miles on it but it has 73,000. The car is so hard to maintain. Pat Williams suggesting looking into other vehicles if these Fords are such lemons. What about Dodge, do some research. David Jenkins stated that Dodge Chargers are a white elephant; the State Police don't even buy them anymore. The gas mileage is tough also. Herman Johnson asked if we check into grants from our state reps and or senators. Why can't we sell this car, put the money aside and see if we can get a grant to get a vehicle. Mayor Lawler stated that she was shocked that we were looking into buying a vehicle at this time; we did get grants for the unmarked car last year and the scales. This year's gaming grant went to the refurbishing of the Gathering Place. Don't think the money was as plentiful as last year. Mayor Lawler discussed this with Steve Armillay and said that we had missed our opportunity and that it went, and we are in need of help, matching money so we could purchase a new vehicle. Mr. Armillay told Mayor Lawler to wait until next year in the beginning of the year and let's see what we can do. Herman Johnson stated that up there they need a bigger heavier vehicle because they get a lot of snow. Vince Cruciani stated that they have a very small area to patrol and he doesn't know why but they have little area and they want a refurbished police car. David Jenkins stated that we should look into a 4 wheel drive. All-wheel drives not enough if we get a foot of snow. Look into a Ford Explorer, all-wheel-4 wheel. Virginia Kehoe reviewed the mileage of all of the cars. David Jenkins stated that the 2006 Crown Victoria was supposed to be taken off, not to be reported as a police vehicle that was going to be an emergency vehicle if something happened. That is for Lori Harris to use, and it shouldn't be on the police report. Virginia Kehoe stated that the police do chose to use it. David Jenkins stated that they shouldn't be using it. Mayor Lawler stated that first off she was suggesting selling the Crown Victoria off. The car should be labeled "Clarks Summit Police Department." No problems with this vehicle but this vehicle could go for \$4,000. Mayor Lawler stated that the police are not traveling

long distances in this Borough. Pat Williams stated that we use that unmarked car quite a bit and when Doc Dougherty took it out people would slow right down, so there are a lot of plusses with that Crown Vic the unmarked car. He disagrees; he would like to keep that vehicle. Herman Johnson stated that when we took the Crown Vic out of police service it was supposed to be used for EMA, Doc Dougherty used it and we were going to a seminar, we would let them use the vehicle. Good car to keep for those things, if you are active. He thinks we are running off on a tangent, what we want to do now, sell this vehicle and put the money away or sell the vehicle and buy the new one. Mr. Johnson stated that Dominic Scott is the only one who has made sense this whole meeting. Mr. Johnson is worried about the budget, the vehicle next year, and the perception of that \$20,000 we gave back by vote. Vince Cruciani asked if the new vehicle for the DPW has come in. The answer was yes. Mr. Cruciani stated that if you sold the car and didn't buy the new one yet and you had an emergency, the police could always get in that vehicle. You could have a Borough owned truck available if you had to. David Jenkins stated that has been done in the past. Herman Johnson stated that one time the Borough got 19 inches of snow, the Mayor and the Borough Manager, let him use the dump truck to patrol this town. He thinks it should be if you are Borough employee and you have the proper licensing. Virginia Kehoe stated that she has purchase orders with the problems that needed to be fixed on the Expedition, not sure of the total cost. Herman Johnson wanted to know the total cost for the vehicle to be down. How many vehicles do we really need right now. We have always had three and he has been around for 15 years. We have 4 guys and two on at any time. We have five vehicles now. Mayor Lawler stated that the idea is to sell the Expedition for \$9,000 then we go down one less vehicle in the department. That would leave us at three. David Jenkins stated that we can't count the Crown Vic because of the amount of miles on it. Pat Williams stated that we could use it in an emergency. From what he is hearing the repair costs on the vehicle are minimal. It already has 73,000 miles on it and we were told this vehicle is a piece of junk now it is not that bad maybe we should keep it and fix it. Mayor Lawler stated that if we could hang on, rather than sell it. Now that she sees that there have not been that many repairs to the vehicle itself. Hold onto it before we get a car through a grant, it might not be this next year. Pat Williams asked about a used vehicle. Get the vehicle fixed. It is rusting terribly. Herman Johnson asked to what the degree the vehicle rusting, could we get another year out of it. There is a hole from the rust. David Jenkins suggested taking the vehicle to Norton's Body Shop and Abington Body Shop and getting an estimate as to how much repairs are and go from there; put a band aid on it. Pat Williams asked if someone from the DPW can repair the rust. Virginia Kehoe stated that she didn't know if anyone from the DPW can do that body work. Dominic Scott stated that he had his car to a body shop in Scranton and they did a great job, he would let us know. Dominic Scott stated that they will put it in the 2016 budget. We will not sell the Expedition. Herman Johnson asked where we take the police cars when they need servicing. Virginia Kehoe said Kost Tire. Mr. Johnson said sometimes you go to these places they start schmoosing you. The DPW can help during their

down time with changing oil etc. David Jenkins asked why our DPW doesn't do more mechanical work on the cars, other Borough's did, and he stated that these guys have it made down there. Lynn Davis used to but he isn't here anymore. Herman Johnson stated that when he was a Chief in Covington, the DPW there used to wash his car, change the tires and do the oil change and they only had 3 men in their DPW. David Jenkins stated that it's like we are asking the DPW to get us the winning lottery numbers or something. Virginia Kehoe stated that the DPW has a schedule that keeps them busy 8 hours a day, 40 hours a week. David Jenkins stated that we could loosen up on 1 or 2 people they are supposed to be looking out for our benefit here. Ms. Kehoe stated that she is sure she could accommodate things but are we going to take people off of leaf pickup right now. Vince Cruciani suggested looking for a part timer to does this kind of work. Virginia Kehoe stated that the DPW does do work and maintains their vehicles. The question is there are times when we have to ask do we want to give up one thing to do another. Ms. Kehoe stated that a part timer for the DPW was budgeted for. Mayor Lawler asked how big the DPW department will be if we bring on a part timer. Ms. Kehoe stated that Neil Bartholme has 5 full timers and 1 part timer. Mayor Lawler stated that in that department you have a lot of talented guys, on their down time she is sure they can help. They will do whatever they can. Virginia Kehoe stated that Neil Bartholme does the DPW scheduling but their job is a lot of play it by ear depending on the weather. Vince Cruciani asked if we have an ordinance, his neighbor is stacking their leaves in the street. What is the appropriate measure? Virginia Kehoe stated that it is not illegal, we can consider an ordinance. Ms. Kehoe suggested Mr. Cruciani give her the address, she will go knock on the door. Mr. Cruciani stated that he knows why they put them on the street, because all the neighbors had their leaves out the DPW didn't come by and the grass died underneath. David Jenkins stated that the DPW guys are out all day long, let them have a pad and write the address down. Pat Williams said that we have already tried that. David Jenkins stated that they are the ones here that make the legislation. What about the police department, they ride around all the time. Pat Williams agreed. Mr. Jenkins stated that this way they can do the job they were hired to do and help us out. Ms. Kehoe stated that she would be happy to ask them to do that. Mr. Jenkins said not to ask them but tell them. Mayor Lawler stated that one of the most thankless jobs is the leaf pickup. She gets many complaints about leaf pickup. Even though we are the only Borough that offers this service and the service is so precious and our men work so hard. You will find pockets of people that complain. Ms. Kehoe stated that we spend 6 continuous weeks picking up leaves; other communities have 2 days of leaf pickup with the use of garbage bags. Pat Williams stated that is what makes us special, no one else does that. It is very expensive. You have a lot of seniors that can't do it and can't afford it. Vince Cruciani stated that we can put leaves into bags. Virginia Kehoe stated that publically we need to promote recycling of the leaves.

- **SWIF State workers insurance fund:** Vince Cruciani stated that SWIF came back and said our Fire Fighter fee in the insurance is going to be about \$9,000 more. Clarks Green, Dalton and Glenburn are going to owe us about

1/3 of that. That comes to \$3,000, so we have about a \$6,000 shortfall on what has become a balanced budget. Mr. Cruciani stated that if after we expended the money on the Sig Sours we still have about \$6,000 with our health insurance rebate. For this year alone he thinks we should use it to balance the budget, because it went into the General Operating Fund not the Capital Reserves. But for next year we should really consider itemizing out the mills that go to the fire department. Gerrie Carey and Dominic Scott completely agree. This will allow the taxpayer to see that these are costs that are forced on us by other government agencies then they can see the true tax is for our true operating expenses are. Dominic Scott stated that so often you hear the term volunteer Fire Company and it's not. You are paying for their gas, workmen's compensation. Virginia Kehoe stated that the Workmen's comp just for the volunteer fire department is \$29,000 a year. Mr. Dominic Scott stated that the way to give that notice to the taxpayer put a line item on the budget. Virginia Kehoe stated that we are at 30 mills, 1/2 a mill away. But if you pull the volunteer fire company into a separate fund, that fund doesn't count against the 30 mills. So that would drop us to 27 1/2. Vince Cruciani said that a mill generates about \$43,000. If we separate it and have 27 1/2 and 2 mills plus the 4, lets imagine that next year for some reason SWIF jumps, another \$23,000, our 27.5 won't get raised but the fire department's will get raised to 2 1/2. This is about if the fire costs necessitate more taxation. Ms. Kehoe stated that if we leave the 2 mills in there and we get a big hit next year, we might have a problem; we would have to go to court. If we pull the 2 mills out we won't have to go to court. This was never about raising the Borough's taxes. Vince Cruciani is adamant about itemizing out costs that we don't have control of. Herman Johnson stated that we should have a representative from the Fire Company here, their committee, and our committee and talk about this because if he was in the Fire Company he would be a little offended because he wasn't aware of what we were doing. Being a fireman or an officer of the fire company, he'd be offended because we are not including them in on this information. Vince Cruciani stated that we would have to publish an Ordinance so we would have to make it public. Mr. Johnson stated that he understands that and there are other officers that need to be involved so we are on the same sheet of music. David Jenkins stated that we can supply all of the information as to what constitutes those 2 mills. Earlier in the year we had a difference of opinion on the difference of the fuel. Herman Johnson stated that the problem was when we switched over to the credit cards and there was no way of matching it up. Vince Cruciani suggested bringing this to an executive session. Herman Johnson agreed. Mr. Cruciani stated that this plan isn't something that they will institute until next year's budget. Herman Johnson stated that the state and federal mandates are getting higher and higher so you might have to consolidate with another company. David Jenkins stated that you can't throw the fire company out to the dogs because the fire company is a great asset to the community. A lot of our expenditures are coming from state and federally mandated programs. Vince Cruciani stated that this will give us more latitude on our debt ceiling too and this way instead of us getting the phone call either why aren't you funding the fire company or why is this going up, they can look at it and say

hey federal government why did you do this. David Jenkins stated that the bottom line is that it comes down to the taxpayers, you can't get blood out of a rock, you can only tax people to the hilt so much, then when you or they are up against the wall, you are not going any further and something's going to pop. David Jenkins stated that you have to have specific documentation.

- **Finance purchase through Community Leasing Partner at 3 year lease with 4.14% interest rate:** Virginia Kehoe provided two spec sheets for the leasing options. One is for the full purchase price; the second one is less the \$9,000 that Council will be discussing about selling the 2005 Expedition, which would only be financing \$24,000.
- **Sell 2005 Expedition to Union Dale Borough Police Department \$9,000.00**

3. EXECUTIVE SESSIONS:

President Carey

- **Prior-** None
- **During-** None
- **Subsequent-**

4. ADJOURN:

President Carey

Vince Cruciani made the motion to adjourn, seconded by Dominic Scott, vote was unanimous.