

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
OCTOBER 5, 2016**

The October 5, 2016 Borough Council Special Meeting was conducted on Wednesday, October 5, 2016 at 7:00 P.M. The Meeting was held in Borough Council Chambers, 2nd Floor, 304 South State Street, Borough of Clarks Summit, County of Lackawanna and Commonwealth of Pennsylvania. Council members in attendance were Mr. Bob Bennett, Mr. Patrick Williams, Mr. David Jenkins, Ms. Gerrie Carey, Mr. Herman Johnson, Mr. Dominic Scott, Mr. Vincent Cruciani, Mayor Patty Lawler, Police Chief Chris Yarns, Borough Manager Virginia Kehoe, Solicitor Pat Rogan.

CALL TO ORDER:

President Carey

MEDITATION:

Mayor Lawler

PLEDGE OF ALLEGIANCE:

Mayor Lawler

ELECTION OF JUNIOR COUNCIL:

President Carey

David Jenkins made the first motion to appoint Nacole Leonhart and Will Carey to the Junior Council, seconded by Herman Johnson, vote was 7-0.

LETTER OF RESIGNATION – MAYOR LAWLER:

President Carey

Patty Lawler was recognized by County Commissioners and today is Mayor Lawler Day. Herman Johnson made the first motion to accept the resignation of Patty Lawler as the Mayor of Clarks Summit, seconded by Vince Cruciani, vote was 6-1 with David Jenkins voting No.

1. APPROVAL OF AGENDA:

President Carey

David Jenkins made the first motion to approve the agenda, seconded by Bob Bennett, vote was 7-0.

2. APPROVAL OF MINUTES:

President Carey

- **August 30, 2016 Special Meeting:** Vince Cruciani made the first motion to approve the minutes, seconded by David Jenkins, vote was 7-0
- **September 7, 2016 Council Meeting:** Vince Cruciani made the first motion to approve the minutes, seconded by Herman Johnson, vote was 6-1 with Bob Bennett voting no.

3. PUBLIC COMMENT & INPUT:

President Carey

Tom Senofonte, 514 Division Street discussed his property and Junction Avenue. Mr. Senofonte stated that they developed the property which was a school back in the 80's and townhomes were approved, but things must have been done by a handshake in those days. The one way coming in, Junction Avenue, the street is not wide enough for two way traffic. Bob Thorne said in order to do the townhomes, he would have to put a circle drive, going behind the school and then coming back out the other side of the school. He had to do this at his own expense, and then the Borough would maintain it. Just recently he was told that the Borough doesn't feel they have the

right of way, it was never given to the Borough on paper. His concern is if they have to close off the part that they paved 30 years ago and just use Junction Avenue for the townhomes, the road is not wide enough for two-way traffic so the Borough would have to come in and redo that whole road. David Jenkins stated that if the Borough doesn't have anything on paper that legally says we own that property, then we don't legally own that property. Mr. Senofonte stated that he thought he dedicated the road to the Borough 30 years ago. Bob Bennett stated that road would have to be up to standard to accept it. Vince Cruciani stated that it is granted as an alley not a two way street. Mr. Senofonte stated that the Borough has maintained this area for 30 years. Vince Cruciani suggested implementing a yield sign, there has to be accommodations made one way or another to resolve the dispute. Pat Williams stated that the one way has worked for 30 some years, Mr. Jenkins asked Mr. Senofonte why he wants to widen the street now. Mr. Senofonte stated that they don't want Junction Avenue widened, they just want it maintained. Vince Cruciani asked Mr. Senofonte as the property owner, if the remainder of the circle does need to be placed into a level of specific condition in order to have the dedication occur so that the long term maintenance that he is talking about can happen, is that something that he is willing to work with the Borough on. Mr. Senofonte said yes. In the meantime Ms. Kehoe wrote out a service request to fix the potholes on Junction Avenue, the part that is not part of the private property. Vince Cruciani stated that the Borough should provide Mr. Senofonte with the specifications necessary to put the remainder of the road in the position for dedication. Herman Johnson stated that we don't want to spend taxpayer's money on private property; we will work on the potholes on Junction Avenue until we can get this resolved. First we need to get Mr. Senofonte the specs and a conversation with the Engineer to see what he needs to do before we make that recommendation for dedication. Mr. Johnson stated that this is not going to be an easy process because deals were made years ago and there is no paper trail. Need a meeting and have the two parties come together. They are the current sitting Council and they need to make sure things are done legally.

Debbie Belknap was there in August concerning a sewage backup asked if there has any decision made, Virginia Kehoe will contact Ms. Belknap with answers.

Janine Port spoke to Council about Bunker Hill Vet Clinic. There is a high cat population. If we have calls, please refer people to the clinic for spay and neutering. They will be willing to work with the Borough with a low cost program.

Dori Waters asked if Council had any questions. No questions for her.

Gerard Hepman spoke to Council about Lackawanna County activities. Work is underway to start on the change orders on Depot Street; October 21st is the due date for the project to be completed.

Theresa Barrett, Ash Street, commended the borough for the great job they do with the services. Paving is an issue because of the pave cuts; they don't pave the square indentations very well. The edge of each street there is a small curb, which is a life saver but that wears down it is not maintained. Is there any way that taxpayers can let Council or the Borough know? Ms. Kehoe stated that someone can notify the Borough and we can take care of that with a service request. With the utility cuts,

they put materials in and then they need to let it settle before the final paving is done. If someone has an issue, give the Borough a call.

4. POLICE REPORT:

Mayor Lawler

David Jenkins asked about the speeding on Winola Road. Chief Yarns stated that he did put the speed sensor out. He noticed and it is at all times of the day. Chief Yarns also put unmarked cars there also. Mr. Jenkins asked if they can use ENRAD, on the side road, that way they would be out of sight enough to make a difference. Mr. Jenkins is worried about a serious crash on Winola Road. Mayor Lawler thanked Council for their interest and help with the Police Department. They have been successful for securing grants for the Police Department; the Finance Committee has always made up the difference after the grants.

5. BIDS & QUOTATIONS:

President Carey

6. BOROUGH TREASURER'S REPORT:

President Carey

Vince Cruciani made the first motion to accept the Treasurer's Report, seconded by David Jenkins, vote was 7-0. Vince Cruciani stated that we have \$146,678 in Debt Service, don't expect payments to come in before March? Virginia Kehoe stated that we will have more coming in in December. The people that pay their property taxes at the end of the year, there will be more Debt Service collection at that point. This number is including September 2016.

7. COMMITTEE REPORTS:

• **Building & Plant**

Pat Williams, Chair

Pat Williams stated that the roof was fixed on the building. David Jenkins asked about the faucets in the men's room. Ms. Kehoe has the quote and she has to talk to the Finance Committee. It took a little while to get the quote. Mr. Jenkins stated that it would be nice to get them fixed. We are going to power wash the clock tower base. Mr. Cruciani asked if we have an easement to do this. Mr. Williams stated that they were over there painting and nobody said a word, everything is going smoothly, he doesn't want to stir anything up. Mr. Williams said if he doesn't want it done then they won't do it. Mr. Cruciani stated that it is not that he doesn't want to have it done; we can't spend public money on private property. We just need a one day temporary agreement; he thinks they should vote on this. Mr. Williams was able to get a volunteer; no Borough money is being used for this. Mr. Cruciani stated that is ok then.

• **Finance Committee**

Dominic Scott, Chair

Next week they will be meeting with the Treasurer and start working on the budget. Meeting was set up for 9am on Thursday.

• **Grant Committee**

Dave Jenkins, Chair

LSA grant application submitted \$60,000 for police equipment

Act 101 Recycling grant submitted \$8,000

LSA grant application submitted by Fire Company for \$31,000 for quick response vehicle

David Jenkins stated that there is a recycling grant where Mr. Kehoe is going to try to get the same kind of bins that we had with the wheels on them because we couldn't get them through the state this is through Coca-Cola. David Jenkins

made the first motion to approve the LSA grant application submitted by the Fire Company (Resolution 2016-12), seconded by Herman Johnson, vote was 7-0.

- **Recycling Committee** Bob Bennett, Chair
Bob Bennett thanked Councilman Jenkins and Borough Manager Virginia Kehoe for doing the annual grant that we get. Thanked Mayor Lawler for the trash fest that she organized.
- **Insurance Committee** Vince Cruciani, Chair
Mr. Cruciani stated that he has not heard back from Farmers Insurance yet. But he did run into the principal owner of one of the insurance companies that sought to do a bid last year. Mr. Cruciani asked him why his agent never got back to the Borough. The gentleman told Mr. Cruciani that there was no possible way that they could have met the rebate that the Borough is getting; he stated that it wasn't even close. That was Knowles insurance. This shows what an excellent program that they are in right now, and if Farmers Insurance comes back with a better quote that's fine. They never came back for the information.
- **Personnel Committee** Gerrie Carey, Chair
Gerrie Carey stated that they will go into executive session after the meeting.
- **Public Safety/Safety** Pat Williams, Chair
- **Public Works** Herman Johnson, Chair
DPW Monthly report
Mr. Johnson stated that the DPW received the Skidsteer and they have been fully trained on it, this is an excellent piece of equipment and will be a great addition into the DPW. Gerrie Carey stated that we have to have Neil come forward because it is coming close to retirement time, get his paperwork done.
- **Recreation** Dominic Scott, Chair
- **Sewer Billing** Dominic Scott, Chair
The aging for 90 days is outstanding. David Jenkins stated that the aging report is great. Vince Cruciani stated that to put in into perspective it's reduced 67% in a year.
- **The Gathering Place** Gerrie Carey/Pat Williams
They had an event at State Street Grill last week that went well.
- **Depot St Project** Herman Johnson
Herman Johnson stated that it is moving along well they installed a couple of lights. They are mainly working on the punch list and will have the work done by October 21st.
- **Stormwater Committee** Herman Johnson
Herman Johnson stated that he and Pat Williams went to a seminar in the Woodlands two weeks ago and that was a great educational course. Our MS4 program is going well and they brought back a book with information for the file.
- **ACOG Representative** Patty Lawler/Gerrie Carey/Dom Scott : Dominic Scott stated that he would attend the meeting.
- **Police Negotiations** Gerrie Carey/Herman Johnson: Gerrie Carey stated that they wanted to sit down with the police department one more time, they declined. They want to move forward with the arbitration. Our hands are tied right now.
- **Alley Research** Bob Bennett
Bob Bennett stated that they need to get together with Solicitor Mulhern. Not sure what the disparity is. Anxious because this has been 6 months in the process

and we have already missed the money for 2017. The quicker we can get the streets on the liquid fuels list the better.

- **Additional comments from Council**

Herman Johnson asked when the Borough is going to begin blacktopping because it is starting to get cold out and he is worried about the plants closing early. Mr. Johnson stated that he wishes that they started this a long time ago because we did have a blacktopping list completed a while ago. Mr. Johnson asked if we have a work order in for the Bissell Street light. Ms. Kehoe said yes we do, the last time the lights took over 6 months. Ms. Kehoe stated there are lights for Bissell and Primrose.

Pat Williams discussed our tree ordinance. The ordinance we have now is not fair to the borough residents and it is a safety issue, see branches that are dead and trees dead in the right of way, serious issue. The residents are not going to cut down any trees. To put the safety issue on the residents it is not going to happen, no one will cut down the dead trees. He has been told that this is costly to the borough. Gerrie Carey stated that the one issue is if their homeowner's policy if they let them know that tree is a hazard, should that tree come down, the liability is on the home owner. How do we make residents aware of the dead trees? Ms. Kehoe stated that it has been 10 years since this ordinance has been enacted. We have been dealing with residents about this. Ms. Kehoe stated that if Council would like the borough could send a letter to a resident about this. Bob Bennett stated that he took two trees down on his property before he was on Council and just footed the bill. Mr. Williams stated that he thinks that this is very unfair to pawn this off on the residents. Herman Johnson suggested putting this to committee and review this. David Jenkins stated that if a branch falls down the borough crew can pick it up or the homeowner. Mr. Williams said what if it hits a car or a child when they are waiting for the school bus? Mr. Williams stated that this ordinance was passed was because it was a costly issue for the borough. Herman Johnson stated that it can't hurt to review this. Vince Cruciani stated this falls under Pubic Safety that committee should meet.

8. VENDOR PAYMENTS TO BE RATIFIED: President Carey

Dominic Scott made the first motion to ratify the vendor payments, seconded by Vince Cruciani, vote was 7-0. Has the church that was sent the check, returned the payment.

9. OLD BUSINESS: President Carey

- **Paving list:** Already discussed
- **2016 CDBG Monies – Resolution 2016-14:** Virginia Kehoe stated that the Borough is going to put the 2016 money into residential rehab. David Jenkins made the first motion to accept Resolution 2016-14, seconded Herman Johnson, vote was 6-1 with Vince Cruciani voting no stating that he doesn't think public funding should go into private housing and that is why he is voting no.

Concerning paving, Vince Cruciani asked if there is a completion date that is part of the acceptance; Virginia Kehoe said yes, it is 90 days from the notice to proceed. If the cost of materials escalates from what they bid on is it prorated? Ms. Kehoe stated that they gave us a price for each function and the price is locked in. Herman Johnson said if it got colder and they shut down the plants

earlier, who pays for the extra. We have to start doing this earlier in the season because the blacktop doesn't bind well. Mr. Johnson read the Engineer's report today and it said the blacktopping will be done late October/early November. If that starts peeling, we have a maintenance program but that costs our taxpayers money. Mr. Cruciani stated that he thinks Pennsy has their own plant. Ms. Kehoe stated that she needs the Public Safety Committee to give her the list of roads that they want to have bid next year and she can get Bob Naegele working on it now. Ms. Kehoe stated that it is 60 days not 90 days from the notice to proceed. She needs a specific list to see which roads need to be paved. Bob Bennett asked how much was budgeted 10 roads, the water company will also pave some roads. The budget is around \$167,000 for this year.

10. NEW BUSINESS:

President Carey

a) Mayor's replacement:

b) 2017 MMO: Vince Cruciani stated that the MMO went up 575% over the last 6 years. Wages went up 33%, CPI went up 15%, and benefits went up 29%, all within reason, all within good faith negotiations with the police department that is achieved through collective bargaining. The MMO is an unfunded mandate dictated by the state that is also a variable element to the budget. It went up 575% from \$35,000 to \$203,000, unfunded. It used to comprise less than 8% of police wage budget, now comprises over 29%. We have a great police department; we engage them in difficult but fair and good faith collective bargaining every few years. This is an unfunded mandate and that is why it is so difficult for us to address. Mr. Cruciani stated that it is like the school districts with their unfunded mandates to teacher pensions that cannot be collectively bargained. It's a more severe version but it is similar to the MS4 which is an unfunded federal mandate. Unfunded mandates are going to be the financial ruin of municipalities. Bob Bennett asked when the state comes down with this mandate is there any recourse for a municipality to ask for a review. Mr. Cruciani stated that it is an actuarial determination, the mandate itself is from the state but the amount owed is from an actuary. Mr. Cruciani stated that he doesn't think anyone is questioning the voracity of the actuary's figure, the figure is pretty black and white. The issue is that it is mandated but not paid for and not able to be collectively bargained. Mr. Bennett stated that we are fully funded already as long as we maintain where we are at, putting additional money in is not really necessary from the point of view that it is already fully funded. Is there a way of having them review this as a unique situation? We really do not have any recourse.

c) Knapp Road Fencing: Virginia Kehoe stated that the only way to fix this is the welder wants to about a square foot right around where the welding needs to be done without the fencing because he cannot weld with the fence there. When he is done he will replace the fencing, it might not match perfectly. He wanted to make sure that Council is ok with that. Then he will prepare the bid, and budget it for next year. David Jenkins stated that this is a public safety issue; we need to get this done. Depending on the severity on it, we need to figure out whether it is an emergency situation or if it can wait until next year. Herman Johnson stated that if it is a safety issue we need to do it this year. Pat Williams stated that he thinks this is something that should be addressed now. Ms. Kehoe stated that she will get the price of the bid forwarded, make sure they are good on the pricing

then go ahead and tell him to get it done. Mr. Cruciani stated that he doubts if there is anyway this can be covered by insurance because it is general wear and tear. David Jenkins asked if we need three bids on this. Ms. Kehoe stated that she has no idea what this is going to cost, as soon as she gets the price from John then she can reach out. If it is an emergency we don't need three bids. Vince Cruciani asked about using CDBG money on this. Ms. Kehoe stated that this wouldn't qualify under low income, the elderly, or the handicapped. Mr. Cruciani asked if it might qualify under the handicapped. Ms. Kehoe stated that the handicapped would have to be the ones who use the bridge. You would not find the majority of the people that use the bridge being handicapped. They would judge this by the neighborhood, they would survey the neighborhood. Herman Johnson stated that the only thing that worries him is that the bridge is right next to the school and the kid use the bridge. Ms. Kehoe will get the price from John, then check with Council before giving him the go ahead. It took over a month to find someone who was even willing to give her a price.

- d) **Alley connecting Hosfeld to Midway:** David Jenkins asked if we are just giving the ok for this guy to leave the fence up because he has no problem with leaving the fence up. Ms. Kehoe stated that the question is, is it our position to even weigh in on this. Ms. Kehoe stated that she would encourage him to just leave it up, she doesn't see any harm. He is not restricting public access, he is honoring the specific request of Council at the time of the sub-division not to open the road. When the homeowner moved in he cleared the land, the first vehicle to decide to use the shortcut was a school bus. David Jenkins stated that there are a lot of violations with these people that are driving school busses. So he put up a fence which can be considered a landscaping feature. No problem with people to walk there, just make sure people aren't driving there. David Jenkins made a motion to leave this as is, seconded by Herman Johnson vote was 7-0.
- e) **Liquor License – Gerrity's:** David Jenkins made the first motion to approve the liquor license for Gerritys. Virginia Kehoe stated that first this has to be advertised and they can do this before the November 3rd meeting.
- f) **Liquor License – The Cigar Shop:** For Summit Cigar does that need to be advertised. David Jenkins made the first motion to approve Summit Cigar's liquor license. Herman Johnson stated that he thinks this might have to be advertised because, that is one of the stipulations with the LCB. Ms. Kehoe stated that Summit Cigar has a restaurant license, which normally would allow hard liquor, the Borough put a restriction on it and he is looking to lift the restriction. Vince Cruciani stated that he is voting yes either way, but why not advertise them together. David Jenkins stated that he withdraws his motion. Herman Johnson stated that he has no problem with that.
- g) **Christmas Lights:** Ms. Kehoe stated that we have \$2,500 in the budget for Christmas lights. Would like the lights up before the ABPA event in November. Needs direction from Council since the Mayor has resigned. Council decided to have Gerrie Carey call Kevin Davis about this, see if he can do the work.
- h) **Arbor Day:** Donna Zagrapan has stepped down from the Shade Tree Commission, there was a suggestion for a special planting in Donna's name, November 5th at 10am invited Council for this and they will have an educational display of trees, they are hoping to do this from the Community Garden.
- i) **Resolution 2016-12 LSA Grant application – fire co:** This was already voted on.

- j) **Resolution 2016-13 ARWA refinancing:** David Jenkins made the first motion to approve Resolution 2016-13, seconded by Herman Johnson, vote was 7-0.

11. **SOLICITOR'S REPORT:**
Rogan/Mulhern

Solicitor

12. **CORRESPONDENCE:**

- **Path Stone:** Virginia Kehoe stated that she wanted to get the information out, it is a way to help seniors 55 and older, help get assistance with on the job training and job search assistance. They are also reaching out to municipal governments to hire these seniors allowing them to work 20 hours per week at minimum wage doing light work and training.
- **Lackawanna County Chiefs of Police Association:** Virginia Kehoe stated that they have given us a letter of interest, they are offering the Borough \$1,000 for the purchase of our 2005 Ford Expedition which we are putting out of service as soon as we receive our new police vehicles. David Jenkins stated that they are not stuck on that \$1,000, if we come back with \$1,500 he may go up to \$1,200 or \$1,300 which would still be a pretty good bargain because they are going to strip the vehicle down and redo everything on it and repaint it black. Herman Johnson made the first motion to do it, go up to \$1,500, even if they come up a couple of hundred, he has no problem, get rid of the car. Vince Cruciani asked what we donated to SWAT last year. Ms. Kehoe said it was either \$500 or \$1,000 not more. David Jenkins seconded the motion, counter at \$1,500 and accept anything \$1,200 and above, vote was 7-0.
- **Clarks Green Borough:** Virginia Kehoe stated that Clarks Green Borough is soliciting police service proposals. Ms. Kehoe asked if Council is interested in this and forming a committee, by October 31st they need a narrative and by November 14th they need a final price. David Jenkins made the first motion to accept this as official correspondence with no further action. Mr. Jenkins stated that we have wasted our time two times before and he thinks we are being played like a fiddle that is his opinion. He really doesn't want to waste the Chief's time and money or anybody else's time. He thinks it is a waste of time because they are going to come back and say that South Abington will do it at the same price. Bob Bennett stated that he agrees with Councilman Jenkins however right now since we are going to be going into arbitration he doesn't know if this is the right time to get involved at all with another municipality. Gerrie Carey asked if there is a second to Mr. Jenkin's motion. Bob Bennett seconded the motion. Herman Johnson stated that he would rather take this into executive session because there are a lot of questions that have to be answered. He understands what Councilman Jenkins is saying but he thinks we need to talk this over a little more because we have a couple issues on our side of the house and on their side of the house. Vince Cruciani stated that he doesn't know if we can bring this into executive session. Herman Johnson said that he thinks we can because this is about personnel and finances. Bob Bennett said it is contractual not personnel. Gerrie Carey suggested moving forward on the vote. Ms. Kehoe stated that if we get into an executive session, this is the last opportunity to vote to move forward on this or to not move forward. Herman Johnson asked if they can go into executive session with the stipulation that after they can come back and vote. Yes they must

recess rather than adjourn. Vince Cruciani made a sub-motion to table this, until next month. We can't because we have until the end of this month, we have to have a narrative in by October 31st. Mr. Cruciani stated that there is no way we can do this with the pending arbitration. Herman Johnson called for a vote which was 3-4. Vince Cruciani made a motion to table the subject including from full council deliberation to the worksession, seconded by Herman Johnson. Herman Johnson stated that the Chief can still write it out. Vince Cruciani stated that if they decide at the worksession we have a proposal and we call Clarks Green and tell them that it is coming November 3rd, and they don't want to wait 3 days then he doesn't think we want to do business with them. Ms. Kehoe state that the numbers can wait until November 14th, so we can do it that way. Pat Williams stated that if we have to do it what the advantage of tabling it is. Vince Cruciani stated that there is no point in discussing it, we have to put together numbers. Mr. Williams stated that he just asked for a point, why would they make a motion to table it. Herman Johnson said so they can discuss it further. Mr. Williams said it might be pushing it back too far. Ms. Kehoe stated that we do have time, we are authorizing Chris Yarns to get the narrative in by October 31st, the pricing isn't due until November 14th, and so November 3rd gives them plenty of time. Vote was 5-2 with David Jenkins and Pat Williams voting no.

- **Clarks Summit University:** Ms. Kehoe stated that Clarks Summit University is doing a community appreciation day on October 18th from 8-Noon and they would like to serve the Borough and they wanted to know if there were any projects they could help the Borough with. David Jenkins suggested that they can help with a downtown cleanup, clean up the sidewalks, pick up any trash, and beautify it. Council agreed downtown beautification would be great.
- **First Presbyterian Church of Clarks Summit:** Ms. Kehoe stated that she drafted a letter to them thanking them for their help with Hemlock Park, she wanted to make sure the letter was accurate since she wasn't there. Gerrie Carey will sign the letter

13. EXECUTIVE SESSIONS: President Carey

- **Prior- Immediately preceding - Contracts**
- **During- None**
- **Subsequent- None**

14. ADJOURN: President Carey

David Jenkins made the first motion to recess to go to executive session.

Council returned from executive session

Vince Cruciani made the first motion to nominate Jim Klein, of Gladiola Drive, to the Vacancy Board, seconded by David Jenkins, vote was 7-0. Bob Bennett asked if the vote was 7-0. Pat Williams stated that he wasn't sure what was going on to be very honest. Vince Cruciani stated that on the question if for some reason they can't pick a Mayor because there is a tie vote, in November Jim Klein will be the Vacancy Board chair and he will pick the Mayor two days later. Mr. Cruciani stated that they all know who is going to become the Mayor, probably, the most qualified person who he has no doubt Jim Klein will pick. Solicitor Rogan told Mr. Williams, the statute

allows 30 days, but not to delay it any further, Council is talking about filling the Vacancy Board just in case there is a tie vote. Virginia Kehoe asked if Mr. Williams was voting yea, nay or abstaining. Mr. Williams said he would vote yes. Ms. Kehoe stated that the vote was 7-0. Vince Cruciani stated that we have a limited amount of people that will qualify for Mayor, but he thinks there will be a lot of people who will put for Council and he is excited to see that. Virginia Kehoe stated that if Jim Klein is on Council he cannot be on the Vacancy Board. Gerrie Carey and Dominic Scott stated that Jim Klein can be on Council. Virginia Kehoe said whatever the majority vote decides. Vince Cruciani stated that it would look terrible to put him on Council. David Jenkins stated that Jim Klein was not elected twice. Pat Williams stated that he doesn't know if that is valid stating that they were stretching on that. David Jenkins said no not really Pat, it is the will of the people. Vince Cruciani stated that there are a lot of people who can contribute to the Borough that haven't been rejected twice. Bob Bennett asked how they solve the problem if he is on the Vacancy Board, he can't serve two positions. David Jenkins stated that he would have to resign from something. Vince Cruciani stated that in all fairness Dominic Scott won re-election after his appointment, because people chose to re-elect him. Mr. Scott stated that a lot of people voted to elect Mr. Klein too. Mr. Cruciani stated again that Mr. Scott won re-election, there are 5,000 people, probably 4,000 eligible to sit there, what a great opportunity for him to serve the Borough on the Vacancy Board and make the very important decision of who becomes the next Mayor and to fulfill other vacancies over the next year and a half. Pat Williams stated that Dominic has a good point, how many points did he lose by, he was very close. Mr. Cruciani stated that he lost twice. Gerrie Carey stated that she thinks it was by 5 votes. Bob Bennett stated that he lost by 5 votes ten years ago but he lost. Herman Johnson stated that they made their decision, if he lost twice, he lost twice, that doesn't mean anything. Pat Williams said not to him either. Mr. Johnson stated that they need to make sure they are doing the right thing so that our citizens don't suffer.

Herman Johnson made the first motion to adjourn, seconded by Bob Bennett, vote was 7-0.