

Borough Council
Special Meeting Minutes – September 4, 2014

Call to Order – Mr. Farley called the meeting to order at 4:00pm and asked members of the audience who were audio recording the meeting to identify that they are doing so. Warren Howeler of the Morning Times and Jan Scott of 204 Hayden Street both indicated that they were recording the meeting.

Roll Call – The following members of the Borough Council were present; James Daly, Robert Flick, Eugene Osmun, JoAnn Sabatura, Timothy Shaw, Eugene Cerutti, and Henry Farley. **Also present;** Elizabeth Fice, Finance Coordinator, Attorney Jonathan Foster, Borough Solicitor, Christopher Kaiden, Code Enforcement Director, Daniel Reynolds, Police Chief, and David Jarrett, Borough Manager.

Citizens to be Heard – Janice Gardner, 103 Park Place addressed the Borough Council regarding the appointment to the zoning hearing board and asked what credentials the individual had that qualified him for the position. Mr. Farley stated that the individual would be discussed by the Borough Council after a motion was made and seconded for the appointment.

Vote to Amend Hiring Date – A motion was made by Mr. Daly and seconded by Flick to amend the employment start date of Nikki Hoffman from October 1, 2014 to September 29, 2014. **Under the question:** Mr. Jarrett explained that the change will allow the employee to work a 40 hour week. **Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE. Motion Carries.**

Vote to accept the resignation of Robert Dydynski as an Alternate Member of the Zoning Hearing Board. A motion was made by Mr. Osmun and seconded by Mr. Daly to accept Mr. Dydynski's resignation. **Under the question:** Ms. Sabatura thanked Ms. Scott for bring the issue to her attention and stated that Mr. Dydynski should be thanked for resigning rather than being removed by the Borough Council. Mr. Osmun stated that Mr. Dydynski should be thanked for his service to the Zoning Hearing Board and his continued service to the Code Enforcement Agency Board.

Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE. Motion Carries.

Vote to appoint John Repasky Jr. to the Zoning Hearing Board as an Alternate Member. A motion was made by Mr. Daly and seconded by Mr. Flick to appoint Mr. Repasky to the Zoning Hearing Board as an Alternate Member. **Under the question:** Ms. Sabatura asked why Mr. Repasky was not present at the meeting. Mr. Jarrett explained that Mr. Repasky has a job that would make it difficult for him to attend a meeting at 4:00pm. Mr. Jarrett stated that Mr. Repasky is a lifelong resident of the Borough and has worked as a systems analyst at Lockheed Martin in Owego for 35 years. Ms. Sabatura stated that she would be more comfortable voting for Mr. Repasky if he was present to answer questions.

Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE. Ms. Sabatura; NAY. Motion Carries.

Letter of Interest - Mr. Osmun stated that the Borough received a second letter of interest for appointment to the Zoning Hearing Board as an Alternate Member. Mr. Farley stated that a letter was submitted by Susan Alvino-White of North Lehigh Avenue in Sayre requesting consideration from the Borough Council for an appointment to the Zoning Hearing Board. Mr. Farley explained that Ms. Alvino-White is an elected official and would be ineligible for the appointment and thanked her for her interest.

A motion was made by Ms. Sabatura and seconded by Mr. Osmun to solicit letters of interest from Borough residents for the second Zoning Hearing Board Alternate Member. Under the questions: There were none.

Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE. Motion Carries.

Adjourn – Mr. Farley adjourned the meeting at 4:08pm following a motion by Mr. Daly and second by Mr. Flick.

Meeting Reconvened – Mr. Farley reconvened the meeting at 4:09pm at the request of Attorney Foster. Attorney Foster read the following statement regarding a legal notice published in September 4th edition of the Morning Times;

Jan Scott and Vincent DeSisti Appeal of the Code Enforcement Notice

“This is in response to the newspaper advertisement placed in the paper by Jan Scott and Vincent DeSisti alleging that they have a deemed approved decision based on the fact the Sayre Borough Zoning Hearing Board allegedly did not hold a hearing within sixty (60) days.

On behalf of Sayre Borough we are confident that under Pennsylvania Law this will not be determined to be a deemed decision. The Borough will present the legal basis why Ms. Scott and Mr. DeSisti are not entitled to a deemed decision as a result of their appeal of the Code Officer's Enforcement Notice. This information will be provided to the Sayre Borough Zoning Hearing board at the Hearing scheduled at 7:00pm on September 11, 2014 at the Sayre Borough Public Works Building on Thomas Avenue, Sayre, Pennsylvania."

Attorney Foster explained that he asked that the Zoning Hearing Board meeting called to order on August 13, 2014 be continued due to the fact that all members of the Zoning Hearing Board were not able to attend the meeting. Mr. Farley explained that Ms. Cooley was unable to attend the meeting due to illness and that Ms. Cooley will not be medically cleared until the end of the month. Attorney Foster stated appointment of the alternate member will ensure that three members of the Zoning Hearing Board hear the appeal.

Adjourn – Mr. Farley adjourned the meeting at 4:11pm following a motion by Mr. Daly and second by Mr. Flick.

Respectfully submitted,

David M Jarrett
Borough Manager/Secretary