

**BOROUGH COUNCIL REGULAR MEETING
RECONVENE FROM SEPTEMBER 6, 2017
SEPTEMBER 27, 2017
7:00 PM**

The October 2017 Borough Council Meeting was conducted on Wednesday, October 4, 2017 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 Ms. Gerrie Carey, Mr. Frank Besten, Mr. Dominic Scott, , Mr. Vincent Cruciani, Mr. David Jenkins, Mayor Herman Johnson, Mr. Patrick Williams, Junior Council Members Will Casey and Nacole Leonhart, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe. Mr. Bob Bennett and Police Chief Yarns were absent from the meeting.

RECONVENE

- **Heart & Lung Policy**
- **Application of unused 2017 paving funds**

ADJOURN

David Jenkins made the first motion to adjourn the meeting from September 27, 2017, seconded by Frank Besten, vote was unanimous 6-0.

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
OCTOBER 4, 2016**

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CALL TO ORDER:

President Carey

MEDITATION:

Mayor Johnson

PLEDGE OF ALLEGIANCE:

Mayor Johnson

1. APPROVAL OF AGENDA:

President Carey

Dominic Scott made the first motion to approve the agenda, seconded by David Jenkins, vote was 6-0.

2. APPROVAL OF MINUTES: President Carey

- **August 30 Council Reconvene & Work Session**
- **September 6 Regular Council Meeting:** David Jenkins made the first motion to approve both sets of minutes, seconded by Frank Besten, vote was 6-0.

3. PUBLIC COMMENT & INPUT: President Carey

Tom Hendrian asked if Carnation would be milled before blacktopping. David Jenkins stated that what they have done in the past is mill before blacktopping. Virginia Kehoe and David Jenkins stated that it is supposed to be milled and then paved. Mr. Hendrian stated that they are looking into planting a tree in the center of the cul-de-sac, they may need some help getting a load of topsoil to get this done but it would be at their expense. They would also maintain the area. Mayor Johnson stated that he thinks that is a great idea. Mrs. Hendrian asked if the street sweeper could come to Carnation Circle also.

Gerard Hetman from Lackawanna County Community Relations department reported to Council.

Dori Waters announced the grand opening of the Gathering Place on 10/27/2017.

Rebekah White was given an additional 4 weeks to clean up her yard. Vince Cruciani made the first motion to grant the additional 4 weeks, seconded by Frank Besten. Frank Besten stated that he and Pat Williams will check the status of the house in 4 weeks. Pat Williams stated that the bottom line is to maintain the community so everybody's property values stay up. Vince Cruciani stated that this is just to get the objects out of the yard that don't belong there. That is what the motion is for just removing the objects in her yard. Vote was 5-1 with Pat Williams voting no.

4. POLICE REPORT: Mayor Johnson
Mayor Johnson spoke to Council highlighting areas in the report.

5. BIDS & QUOTATIONS: President Carey

- **SSES Camera/Repair project:** David Jenkins made the first motion to approve the Borough finding the lowest Co-Stars price, seconded by Frank Besten, vote was 6-0.
- **Citizen's Bank tree removal:** David Jenkins made the first motion for Northeastern Tree to be awarded the bid, at \$4,800 for taking the trees down, removing and grinding, and removal of everything, seconded by Dominic Scott. Vince Cruciani asked if they are felling the trees in the parking lot at Citizens Bank. We need somebody with authority at Citizens Bank to sign off on this because they are going to be agents of the Borough and we need something in writing. Ms. Kehoe will take care of that and give it to Solicitor Hayes to look over. The vote was 6-0.
- **MS4 Tree purchase:** For the purchase of the new trees, Vince Cruciani made the first motion to purchase the trees from Corky's, seconded by Frank Besten, vote was 6-0.
- **Citizen's Bank planting:** David Jenkins made the first motion to have D & D Organic Lawns as the contractor, seconded by Vince Cruciani, vote is 6-0. Mayor

Johnson asked if having Josh Arp doing the work is a conflict of interest. Solicitor Hayes said that this would not be a conflict of interest.

- **Ratify bid for DPW truck - \$4250.00:** The contractor who made the bid on the truck made a mistake and overbid, they are asking for the amount of their bid to be \$4,250. David Jenkins made the first motion to accept the bid amount of \$4,250, seconded by Pat Williams, vote was 6-0.

6. BOROUGH TREASURER'S REPORT: President Carey

David Jenkins made the first motion to accept the Borough Treasurer's Report, seconded by Vince Cruciani, vote was 6-0.

7. COMMITTEE REPORTS:

- **Building & Plant**

Pat Williams, Chair

Pat Williams stated that the DPW building is moving along and he thanked Virginia Kehoe, the Mayor and the Drug Treatment Court for all of their help. They are painting the building. Looking at replacing 2 windows at the DPW building and they are getting pricing on windows. Vince Cruciani suggested calling Sickler's in Tunkhannock for the windows. Frank Leonard stopped by and he will get the Borough prices. We need to keep up with our buildings. Vince Cruciani stated that if you don't want to raise taxes and you have cost of living increases built into all your employment contracts, infrastructure will inevitably suffer. Pat Williams stated the Allen Jones said they will pave Winola Road; he is going to do the shoulder of the road this year in 2019.

- **Finance Committee**

Dominic Scott, Chair

Dominic Scott stated that they are working on the budget.

- **Grant Committee**

Dave Jenkins, Chair

David Jenkins stated that one of the grants being used for the trees as discussed earlier. Chris Yarns usually lets him know when the police get grants also.

- **Recycling Committee**

Bob Bennett, Chair

Recycling report submitted residential recycling down state mandating higher residual factor therefore grant \$ will be down.

- **Insurance Committee**

Vince Cruciani, Chair

- **Personnel Committee**

Gerrie Carey, Chair

Discussion re: treasurer – part time police office: We have had 3 interviews; Ms. Kehoe stated that she is concerned. We are still looking for a Treasurer. Frank Besten made the first motion to hire Steven Hall as a part time police officer at the discretion of the Mayor and the Chief. David Jenkins asked if this had to be voted on right away, Vince Cruciani agreed, they wanted to look the applicant's resume. Mayor Johnson stated that hiring him will help keep the overtime down. They could vote at the Worksession, Mr. Cruciani asked to meet Mr. Hall before the worksession.

- **Public Safety/Safety**

Pat Williams, Chair

Pat Williams stated the DPW has been working with the Tar Buggy.

- **Recreation**

Dominic Scott, Chair

Pat Williams asked if they could have more money for mulch at the parks in the budget.

- **Sewer Billing**

Dominic Scott, Chair

Jenn Basalyga stated that the 4th quarter payments were sent out. There are 7 people on the payment arrangement list. Ms. Basalyga sent out 3 Certified Letters to people who have not kept up with the payment arrangement. Will send out the next batch of delinquent mailing at the end of October. Ms. Basalyga stated that in the beginning we started out with over 80 people on a payment arrangement and now we are down to 7. Mayor Johnson stated that Ms. Basalyga was doing an outstanding job on the sewer billing; there will always be a couple residents on the payment arrangement list. Mayor Johnson also complemented Ms. Basalyga on the Code Enforcement Report.

- **ACOG Representative** Gerrie Carey/Dom Scott/Frank Besten: Frank Besten stated that he would go to the ACOG meeting.
- **Liquid Fuels Research** Bob Bennett
- **Civil Service Commission update** Dom Scott civil service list generated: They were provided a Civil Service list and we are certified for a year. Mayor Johnson stated that he thought it was certified for 2 years.
- **Veteran’s Banners Committee** Gerrie Carey/Herman Johnson: Herman Johnson, Pat Williams, Gerrie Carey and Cindy Coleman all met. They are in the process of getting that lined up. This is moving forward.
- **Additional comments from Council**
Vince Cruciani stated that he noticed the installation of the LED lights; his understanding is that the reason behind the LED lights was to save money in the long run. But there was nothing brought in about the lights for the purpose of expanding the lighting. He thinks what is going on with the lighting is outrageous. The problem is the light shoots 100 plus feet in every direction. His neighbor’s front yards were completely illuminated. It was in his bedroom window. In residential neighborhoods, at least upon request there needs to be shields. It is light pollution. Ms. Kehoe stated that a phone conference with PPL and the company installing the lights is set up for Friday.

8. VENDOR PAYMENTS TO BE RATIFIED: President Carey
Dominic Scott made the first motion to ratify the vendor payments, seconded by David Jenkins, vote was 6-0.

9. OLD BUSINESS: President Carey

- **Weinberger Request – EDU’s for Kyoto:** Vince Cruciani made the first motion to reduce the EDU’s from 6 to 5 and send a letter to Weinberger thanking him for his outreach, we made the decision in this particular circumstance to reduce the EDU’s to 5, beginning January 2018, seconded by Frank Besten, vote 6-0.
- **APPI electric quote updated:** 50 month term fixed rate. Vince Cruciani made the first motion, seconded by Frank Besten. David Jenkins asked if this is something that they want to go with. Frank Besten asked if there is an early termination fee. Solicitor Hayes stated that there is an early termination fee. Frank Besten stated he would vote on it with the stipulation that they do more of a background check. Vince Cruciani withdrew his motion. Frank Besten made the motion with the caveat saying that Ms. Kehoe would look into the company and get more information, if everything is ok move forward, seconded by Vince Cruciani, vote was 6-0. David Jenkins asked if we are paying for the Gathering Place, Ms. Kehoe said no they have a separate bill.

- **CDBG Monies – Senior Center, property condemnation**

Virginia Kehoe found out that CDBG money could be spent on demolition or raising blighted properties. There is a process. After identifying the property it has to go for HUD approval. She does not have an answer when it comes to low income veterans. Ms. Kehoe has not gotten any information about veterans. Mr. Cruciani just wanted to leave the door open for that. CDBG money could be used for a demolition but if you condemn a house, the property owner is entitled to the fair market value which is decided by the court. We are then responsible for the property until or unless the property is raised and it is delivered elsewhere, it is our liable. Mr. Cruciani asked is the property could be removed and turned into a park. Ms. Kehoe did not ask that question. David Jenkins asked if we could use the CDBG money to pay the owner the fair market value. Ms. Kehoe stated that she believes that is all part of the money. Mr. Cruciani asked about a disabled veteran as opposed to low income.

10. NEW BUSINESS: President Carey

- a) **Ordinance 2017-04 Handicapped parking on School Street:** David Jenkins made the first motion to approve Ordinance 2017-04 to be advertised for one handicapped parking space, seconded by Pat Williams, vote was 6-0.

11. SOLICITOR’S REPORT: Solicitor Hayes

- **Audible Signals at W Grove and State:** The one at Grove and State Streets in on the contract as being an audible signal, at some point it was deemed as needed. If Council no longer wants to have the audible signal, he can write a letter to Penndot with the reason for the changes in circumstances. They will then give feedback, we may need approvals. The Borough would then have to pass an Ordinance stating that the audible signal is no longer needed at the corner of Grove and State Streets. Ms. Kehoe stated that the Borough has to either fix the audible signal or remove it. Vince Cruciani made the first motion to remove the audible signal, request to remove the audible unit with a letter to Penndot, seconded by David Jenkins, vote was 6-0.
- **Code Enforcement and the ability to write citations:** David Jenkins made a motion to move this forward for the December vote. We need to adapt it to our current ordinances and Ms. Kehoe will forward to Council and the Solicitor.

12. CORRESPONDENCE:

- **PennNortheast:** David Jenkins made the first motion to send a letter of support, seconded by Vince Cruciani, vote was 6-0.
- **Brittany Adams:** At 531 Winola Road, issues with cars not stopping with the school bus. They are asking for a street light. Vince Cruciani suggested polling the neighbors that are affected.

13. EXECUTIVE SESSIONS: President Carey

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

- **Subsequent- None**

14. ADJOURN:

President Carey

Vince Cruciani made the first motion to recess to vote exclusively on the part time police officer at the worksession, seconded by David Jenkins, vote was unanimous.

Council went into executive session.