

**BOROUGH COUNCIL SPECIAL MEETING
FEBRUARY 28, 2018
7:00 PM**

The February 2018 Borough Council Special Meeting was conducted on Wednesday, February 28, 2018 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. Dominic Scott, Mr. Patrick Williams, Mr. Frank Besten, Mr. Vincent Cruciani, Borough Manager Virginia Kehoe, Mayor Johnson, Solicitor Kevin Hayes and Junior Council Members Will Carey and Nacole Leonhart. Absent from the meeting was Mr. Bob Bennett and Mr. David Jenkins.

1. WORKSESSION:

President Carey

2. PUBLIC COMMENT

- **Patrick & Diane Walsh – options:** Mr. Walsh spoke to Council about Clark Avenue. He has one small entrance into his house from the street, if a car is parked right next to the entranceway into the house you cannot get into his parking space. Even if one side is non parking, each homeowner should have a parking permit. Mr. Walsh mentioned Meadow Avenue in Clarks Summit where no parking signs were put up on both sides of the street. Mr. Cruciani stated that the reason the signs were put up on Meadow Avenue was because school students were parking there. It wasn't because of the school busses. They have been discussing this for about 3 months and he is concerned if there is an emergency what would they do. Mr. Cruciani asked if as the general consensus is that the neighbors all want no parking on the block. Frank Besten stated that they have checked out the situation on Clark Avenue and they understand what the neighbors are going through and they will discuss options. Ms. Kehoe stated that this takes time because No Parking can only be done by Ordinance and that takes time. As of right now people can park on both sides of the street. Mayor Johnson stated that we are working to solve this problem. Mr. Cruciani stated that the business has two spaces to park on Clark Avenue but they are not on the road, it is township easement. Discussed no parking between certain hours. Mr. Toth told Ms. Kehoe that the light would be moved by the end of the week. Ms. Kehoe stated that Mr. Toth told her that there will not be music out on the deck after 9pm. Mr. Toth has been verbally cooperative with these issues. Ms. Kehoe will talk to Mr. Toth about the flood light and the Coors Light sign.
- **Lights/Noise on Clark Ave:** Roberta Rochedieu, 220 Clark, speaking also on behalf of her mother Barbara Pietreface. Discussed parking on Clark Avenue. Cars are parking on both sides of Clark Avenue has made it very narrow and it is a safety issue. The noise, car doors slamming etc. is very loud. The parking is not sufficient at the business at 200 North State Street. Therefore people are parking up and down Clark Avenue and the residential homes in the neighborhood. Gerrie Carey stated that Borough Manager Virginia Kehoe has met with Mr. Toth and we are working to resolve the situation. The business is in a commercial zone but Council is working on a solution.

Discussed the Ice Festival which was very successful. The town was packed and they did an outstanding job on Loughney Hall. The elevator was overcrowded and did stop working for a small amount of time. Keep that in mind for next year.

- **Resolution 2018-07 – PennDOT/stormwater:** This is asking PennDOT to give the Borough the same consideration as they give Townships, when it comes to storm water on their state roads.
- **Property Maintenance violation fees:** Ms. Kehoe stated that back in 2004 we adopted the IMPC then in 2012 by ordinance we adopted the 2009 version of the IMPC but we never put included what the fines would be. The Borough has to set a standard and then it is determined by the Magistrate. Kevin Hayes has been working on this. Solicitor Hayes suggested that the fine for the first violation would not be less than \$100 but not more than \$300, plus all costs for the prosecution for the first offense. The second offense would be not less than \$200 but not more than \$600. Under the Borough Code we are capped at \$600 per fine. The third fine would be not less than \$600. Next week if Council approves this can be advertised and Council can vote at the April meeting to adopt it.
- **Sergeant:** Ms. Kehoe stated that the Civil Service Commission is submitting their list. The standard for passing the test is set at 70%, and only one officer passed. Solicitor Hayes stated that the list is good for one year. There is only one name on the list. The list is public. Tomorrow Ms. Kehoe will send notification out to the officers. Frank Besten asked if the only person would be Pat Gibbons, the answer was yes. Solicitor Hayes stated that Council does not have to make the appointment if they choose not to. The vacancy would continue. This is a policy issue not a personnel issue. Ms. Kehoe stated that Council has committed to only testing for Sergeant. There has been no commitment to add the position. Frank Besten stated that they interviewed people, they are three outstanding officers. Bob Shedlock brings a lot to the table, Kevin Yetkowskas did very well. Pat Gibbons has only been a full time officer for one year, doesn't think that is enough time on the job to get the promotion to Sergeant. It is a tough situation, he doesn't feel that Pat Gibbons has the time on the job to be the field supervisor and it might cause problems in the department. Mr. Besten stated that he doesn't see going forward with this. Solicitor Hayes stated that he thinks they should go into executive session if they continue to discuss this. Mayor Johnson stated that the Civil Service Commission did a commendable job and Council did their job very fairly which he likes. Vince Cruciani suggested holding off a week on executive sessions until the Mayor has an opportunity to have a talk with his department. Mayor Johnson stated that he would like to go back to the department and make sure everything is up and up and they have to post the list.
- **Police Union CBA amendment:** Ms. Kehoe stated that if Council wants to add the Sergeants position to the personnel roster they have to add it to the Collective Bargaining agreement.
- **Non Uniformed CBA amendment:** Ms. Kehoe stated that our DPW, out non-uniform union, the contract doesn't say anything about a trial period or probationary period for a new hire before they become members of the union. The trial period is beneficial to both parties. The non-uniform party, the DPW is fine with this. Any new hires have to work for the Borough for 30 days before they become a member of

the union. The union has to agree to their appointment as well as us. Solicitor Hayes stated that he thinks this is very favorable. Frank Besten made Virginia Kehoe aware of this situation. This is for seasonal and part time workers also.

- **TCC – SAPA committee member:** Ms. Kehoe stated that as a reminder, Jim Burke stepped down from the TCC and we need to replace him. Also, our SAPA committee is David Jenkins and Len Wesolowski. Len has moved from the area and has not responded to any of the emails, so it is safe to assume he is off the committee.

Vince Cruciani stated that when it comes to Clark Avenue, he is not against permit parking but he does not want peace meal permit parking. If we get to the point where we want to do this we would have to do it with the whole Borough. We would need a system and that would take a year or two to develop. The resident would pay for the permit parking. Vince Cruciani stated that if they make it no parking for the whole block of Clark Avenue, then he thinks that's the best solution because they are willing to give up their visitors parking there. Mayor Johnson thinks they have to sit down and think this out. Look at Toth's situation too; he is in a Commercial Zone. Solicitor Hayes asked about the rest of the block. Mr. Cruciani stated that deliveries can potentially park on the street and emergency vehicles. If you have to have commercial work done, they can come in and get a permit just like for one of the storage containers, so for a period of time the construction people can work at a house and temporarily park on the street. They discussed the piece of land where employees park right across the street from the business. Bob Shiels thought this was not a permitted use of a residential property. This is a vacant lot essentially used as a parking lot. Solicitor Hayes stated that it is the status of the individuals parking there makes it a commercial use. It was suggested to get in touch with the LCB.

Frank Besten spoke about Penndot wanting to build a shed that they can bring their trucks in, close the doors, and cleaned. Penndot needs to get in touch with the Borough for sewer use and permits from the Code Officer. They discussed the Clarks Summit Borough trucks using this car washing area for Borough trucks. In return Penndot would want to use either Council Chambers or Loughney Hall for public meetings and seminars. Ms. Kehoe stated that it will not save the Borough money but it will count towards MS4. Mayor Johnson stated that in time this would be mandatory to have the trucks washed at designated areas.

Mayor Johnson stated that there was a meeting at OLP with their principal and they went over their evacuation policies. Took a tour of the building and they had Mayor Lawler there also. Our working relationship with Clarks Green is very good.

3. REVIEW OF MARCH 7, 2018 AGENDA

4. ADJOURN:

President Carey