

BOROUGH COUNCIL SPECIAL MEETING
MAY 30, 2018
7:00 PM

The May 2018 Borough Council Special Meeting was conducted on Wednesday, May 30, 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, Mr. Bob Bennett (7:10pm), Mr. David Jenkins, Mayor Johnson, Solicitor Kevin Hayes and Jenn Basalyga. Absent from the meeting was Borough Manager Virginia Kehoe.

1. WORKSESSION:

President Carey

2. PUBLIC COMMENT

Sandy Longo presented an invitation to Council to attend at the Gathering Place.

- **Insurance presentation Bell Ins:** Brian Bell presented Council with their insurance proposal. Vince Cruciani stated that he did see their proposal and he is waiting for all of the proposals to come in, then he would circulate them to Council. Mr. Cruciani asked if there is any kind of yearly rebate, the answer was no. Mr. Cruciani asked Mr. Bell what are the high end highlights regarding their plan that stands out. Mr. Bell stated that it is pretty consistent across the board for a governmental institution. There are no dividends and no rebates. Mr. Cruciani stated that Council can vote at the June Worksession.
- **Jim Burke – Wayne Bank:** Wayne Bank had submitted a proposal to the Borough currently there are 7 accounts at 2 banking institutions. Vince Cruciani asked if this requires the Borough to have any account that will have at any moment of time more than \$250,000. If Wayne Bank fails and the FDIC is involved, he doesn't think that Wayne Bank will fail, can they manage it in a way that protects the Borough. Mr. Burke stated that they didn't put a minimum on the accounts. Mr. Cruciani asked if you can buy additional insurance on accounts. There is no insurance privately available but the way that these are broken down is by the Borough usage. There are 7 categories. Gerrie Carey stated that this would work well for the Borough. There are 4 accounts that would need to be transferred to Wayne Bank.
- **Greg Rodenbach – appraisals:** Not discussed.
- **Bob Bass – Clarks Summit Fire Co:** Mr. Bass was not attending the meeting.
- **Resolution 2018-09 Grant Resolution – Creek:** David Jenkins made the motion to approve Resolution 2018-09 Grant Resolution, seconded by Frank Besten, vote was 7-0. Vince Cruciani asked if this was the property that was donated to the Borough, the answer was yes.
- **CDBG project – due date 6/15/2018:** Need another idea by June 15th. Frank Besten asked if any of this money could be used for MS4 issues.
- **State Road stormwater systems – analysis by Kevin Hayes:** This is a long standing issue with the OK Tire property. Due to the recent rainfall the situation has been exasperated. Solicitor Hayes stated that Virginia Kehoe, Bob Naegle had been out to the property to meet Penndot, and Penndot has taken the position that it is not

their responsibility, even though the mapping indicates that it was installed by them as a part of the State Street development. There was a meeting with a representative from PennDOT, Virginia Kehoe, Bob Naegele, the property owner and Solicitor Hayes. The Borough said that this is a public safety issue that is only going to get worse. PennDOT says that they are only responsible for what is inside the curb line. They agreed to camera to see where the pipe is coming from, they filled the subsidence. Mayor Johnson asked what we are going to do with the plates that were put there. The stormwater will eventually erode the filling. Bob Bennett is worried about the water pressure at the site, will erode more of the underground supporting dirt, causing a sinkhole. We don't bare any responsibility at this point.

- **Marion Street Property – Kevin Hayes:** Kevin Hayes stated that a title company is working with the seller. This land has a clouded title. The risks if the Borough wanted to sell this property, we cannot get title insurance. This would be fine for green space. Bob Bennett asked about creek erosion in that area and if the Borough is ever going to be held liable for the erosion. Solicitor Hayes stated that the Borough would not be disturbing the natural flow of water we cannot be sued.
- **DPW fire system – estimate for repairs to pole barn:** Vince Cruciani stated that they can put the \$1,500 under the Capital Reserve as that is the big expense. David Jenkins stated that this is probably a necessity due to the fact this is for fire and burglary.
- **July Regular Council Meeting – currently scheduled for 4th of July:** Council decided to delay the July Council meeting to July 11, 2018.
- **Gathering Place Garden Request:** A decision is needed tonight and it can be ratified at the next meeting, it is timely situation. Solicitor Hayes stated that we should have an agreement on this and he agrees. This should be termed for one year Vince Cruciani suggested that with the lease, do we have a sketch, the area should be identified. They are going to need to lock a wire mesh cage over the garden. David Jenkins stated that he believes the purpose of this is to give special needs kids the opportunity to grow a garden. It is going to be a PR benefit to the Borough; it's in an area that is inconspicuous in the park. Mr. Cruciani stated that the Borough would not be liable for this with an indemnification clause included. Solicitor Hayes stated that they would indemnify the Borough for any issues that could arise with the construction and maintenance of the garden. Mr. Cruciani stated that we should have a temporary workspace identified. That would be their permitted area to have their equipment, no storage on site. Other parts of the park are open to the public. They would need a Resolution approving a lease subject to a fully executed agreement between the Borough and the Gathering Place for a term of one year, subject to the Solicitor's approval. Kevin Hayes will speak with Dori Waters. Bob Bennett asked to name the Pocket Park, the Patty Lawler Pocket Park. The land was donated to the Borough and they picked out the name. Vince Cruciani suggested telling the Gathering Place that they need to name the new garden after Patty Lawler.
- **Police Back Entrance:** David Jenkins stated that we should get a reputable company that will build a secure entrance door so we don't have to worry about any problems. He also discussed putting in a canopy over the door, a permanent structure to add to the building. David Jenkins asked about replacing the window that is in the foyer of the building, can we get Mesko to do the work. Gerrie Carey stated that they should wait to see what direction we are going with the sale of the building. Frank Besten stated that they are getting a price from Mesko, Frank Leonard and Keystone. Mr.

Besten agreed to wait a couple weeks before putting the money into the window in the foyer. We do not have to bid this out. Pat Williams is in on the Building and Plant Committee and he will have it taken care of.

APPI APGE: Solicitor Hayes stated that he would look over the contract and let Council know.

Kevin Hayes stated that he drafted a proposed ordinance that would increase the “No Parking” area fines from \$15 to \$25 Borough wide; this has not changed in about 17 years. If they don’t pay in 10 days the fine goes up to \$35. After that it is transferred to the Magistrate. The meter fines are staying the same.

Pat Williams stated that Saturday is the Great American Cleanup.

3. REVIEW OF JUNE 6, 2018 AGENDA

- 4. ADJOURN:**
David Jenkins made the motion to adjourn.

President Carey