

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL SPECIAL MEETING
JUNE 27, 2018**

The June 2018 Borough Council Special Meeting was conducted on Wednesday, June 27, 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. Vincent Cruciani, Mr. Bob Bennett, Mr. David Jenkins, Mayor Johnson, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe. Mr. Patrick Williams and Mr. Frank Besten were absent from the meeting

1. WORKSESSION

2. PUBLIC COMMENT

Mark Toth, owner of City Market and Summit Cigar Lounge and Bar addressed Council. Parking problems that seem to be happening, an issue with one of the neighbors. This is starting to bother his business. He believes that certain no parking signs are not necessary. One neighbor keeps calling the police. He is coming to address Council to see what they can do to address the neighbor who is constantly calling the police. Vince Cruciani asked if she is calling even when people are parking legally the answer was yes. Mayor Johnson stated that they spoke to the neighbor who is calling this week and they explained that they cannot have an officer just sit there for the parking, there are other duties that the officers need to do. After she finished talking to Chief Yarns, she apparently called the Borough office and stated that this is a safety issue. Mayor Johnson said that he does have a copy of someone illegally parking at her house. The police issue tickets if necessary. He went out himself to check this out. There is no problem with the cars on the one side and the other side is empty. There is no safety issue. He wanted to check with the Solicitor or the D.A.'s office to see the calls coming in. If they are at a more important calls over a parking issue. Mr. Cruciani stated that Mr. Toth has civil recourse if he chooses to do that. Magistrate Keeler is the one to go to. The Borough is limited. Mr. Toth just wanted Council to know that there was an issue with just one person. If it keeps going he may do that. Bob Bennett asked of the calls that came in how many tickets were written. Solicitor Hayes stated that there were several meetings with Council months ago concerning legitimate safety concerns on Clark Avenue and that was the basis for the Ordinance that restricted parking from 6pm-6am. Questioned if the one sign should come down. Solicitor Hayes stated that neighbors were complaining that their sidewalks and driveways were being blocked. Emergency vehicles were not able to get into their homes. There were never parking issues before the new businesses opened. Council came up with the parking signs to help with the situation. Toth stated that they spent a great deal of money on parking. Tim Hewett is Director of Operations, questioned the parking ban, from 6pm-6am, why not 24 hours. Solicitor Hayes stated that is when they saw the highest volume of traffic in that area. Solicitor Hayes asked if that is being used by employees or patrons. Frank Emmett said if the employees wanted to park there, let them use it. Mark Toth is asking to reconsider the ordinance to remove the one sign and open the roadway until you get to the top of his property. Bob Bennett suggested that the Public Safety Committee and a member of the Police Department meet

to discuss and evaluate this. Then they can come back and make a recommendation to Council.

Sandy Luongo with ABPA thanked Virginia Kehoe and Jenn Basalyga for helping with a LSA Grant.

- Insurance pricing-\$33,401 for McGowan Insurance quote with Cyber and Date
Compromise options- Vote: We left it open for a vote tonight. Vince Cruciani made the first motion to renew the Borough's Insurance policy with McGowan, seconded by David Jenkins, vote was 5-0.
- Short Street-Alex/Barbara Hijazi: Solicitor Hayes stated that on Powell avenue, there is a private road called Short Street, the roadway identified as part of a sub-division plan. Linda Melvin bought one of the properties and basically she was landlocked to get to Powell Avenue but there was a paper road which is Short Street. Back in 2005 the Borough entered into an agreement with Ms. Melvin by which she would construct a private roadway and it would be affectively be taken off the map. It would no longer be a Borough road. She built, occupied and maintained the road without any issue. The Hijazi's son bought the property down from the Melvin property and they are experiencing water problems. They would like to see if the Borough is able to do anything about the water issue. Ms. Kehoe stated that the Hijazi's wanted permission to go onto that road and rip it up to put in a drainage system. Ms. Kehoe cannot give that permission, it was not a borough road. Ms. Kehoe stated that there are around 20-25 hours total that has been spent talking with Ms. Hijazi, looking through the records. David Jenkins stated that she would like to alongside the road where the water runs off they want to put a sluice in there. Solicitor Hayes stated that this is an issue between two property owners. David Jenkins suggested that on the upper side of Short Street, there is a sluice that comes down and takes water from the Wyatt house; she wants the blessing from the Borough. David Jenkins suggested that the Borough give her the box culvert, to put the box culvert in the ground where sluice could then go into the stormwater because it has already been done on the upper side. If it is on her private property she can do the work, she does not need our permission. Solicitor Hayes suggested that she gives the Borough a copy of the plans to review. Vince Cruciani stated that the Borough should ask Linda Melvin to have the Short Street sign be red and say private road. The blue sign needs to come down within one month, for postal service reasons.
- Open Paving Bid: Ms. Kehoe opened up the paving bids. Verify with Bob Naegele and get back to Council. Ms. Kehoe asked for the 2019 paving list by the end of July.
- Clarks Summit Fire Co-Volunteer Service Tax Credit Ordinance: Draft ordinance presented, Ms. Kehoe wanted to get direction from Council. David Jenkins stated that on average the amount per person for this comes to about \$100. This may help bring in more volunteers also. This is only for Fire Company residents in Clarks Summit. Solicitor Hayes stated that they need to decide the percentage, 20%? Vince Cruciani stated that this is something that the general public would be in favor of. They have to have minimum standards to meet and those standards were made by the fire company. David Jenkins suggested having Solicitor Hayes work on the ordinance with 20% written in. Bob Bennett suggested 10%.
- July Regular Council Meeting-scheduled for July 11: Confirming July 11, 2018 for next Council meeting
- Ordinance 2018-03-Parking Fines: Solicitor Hayes stated that he drafted an ordinance raising the fee to \$25. The meter marking stays the same, parking at handicapped spots

remains the same. This will be voted on in July. It has been 17 years since there has been a change.

- Ordinance 2018-04 Clarks Green EMA: Solicitor Hayes stated that there has been some push back from Clarks Green. This agreement is tied to the police agreement; they expire at the same time. Mayor Johnson stated that they don't understand EMA. The Borough has both advertised for the vote and presented the draft to Clarks Green.
- Clarks Green EMA Agreement: It will be on the agenda because it was advertised.
- Action needed on Stormwater Management Bill: Ms. Kehoe is asking to write a letter representing Council, right now the state has determined that Borough's and Cities cannot assess a stormwater fee, it has to be handled by a Municipal Authority. We need to move forward with this. David Jenkins stated that he gives the authority to write the letter.

David Jenkins asked about the J. P. Mascaro golf tournament, why did the Borough only have 2 tickets. Other places had 4 or 6 other people playing. We gave them a 7 year contract. Mr. Jenkins asked how long this has been happening. This is the first year we were notified about this. Mayor Johnson stated that he thinks J.P. Mascaro is doing an overall good job for our residents. We can make sure that they keep us on our mailing list. Send a thank you to Mascaro.

3. Review of July 11, 2018 AGENDA
4. Adjourn

Council went into an executive session.