

**BOROUGH COUNCIL SPECIAL MEETING
AUGUST 29, 2018
7:00 PM**

The August 2018 Borough Council Special Meeting was conducted on Wednesday, August 29, 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. Patrick Williams, Mr. Dominic Scott, Mr. Vincent Cruciani, Mr. Frank Besten, Mayor Johnson, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe. Mr. Bob Bennett and Mr. David Jenkins were absent from the meeting.

1. WORKSESSION:

President Carey

2. PUBLIC COMMENT

- **SAPA update – Shannon Brown:** An RFP was put out to find a consultant who will meet with the Steering Committee to update the zoning ordinances. This is funded by a grant and the Borough. Vince Cruciani asked if this must go through the Planning Commission, the answer was no, this can go right to Council. Our zoning ordinance is out of date. Laws and situations have changed since 2002 when the last zoning ordinance was implemented. This is an opportunity to have a consultant to work with to revamp the ordinances. Recodification is a part of this also. Vince Cruciani stated that we need to have solid data and understanding and justification when this is all done. Mr. Cruciani stated that he would like to see a one-page summary of what the plan is for that community from SAPA so people can see the big picture. Get the bullet points from the consultant. Discussed having Council and the Planning Commission meet publically and advertise it. Denise Prowell had diagrams etc to help explain the process. Shannon Brown asked what happens next. Ms. Kehoe stated that she would write a letter to the Planning Commission to ask them to start working on this.
- **PPL property – access to Carol Dr:** A letter should have gone out from PPL concerning the gate at Carol Drive. It is PPL's private property and they do have the right to close it. Mr. Cruciani stated that it is not technically a road. The road is not up to Borough standards and it would be costly to do that. Mayor Johnson stated that there are homes up in that area and this is an access road for ambulances, fire trucks and emergency vehicles. The Borough fills pot holes and plows that area. Pat Williams wants this reconsidered. See if the road can be deeded to the Borough. Mr. Cruciani suggested putting this cost in 2020 budget; block the road off for one year or not. Explore this and see if they would deed this to the Borough. Mr. Cruciani stated that it might cost less money to make it a one-way road. Get a number on that.
- **Municibid update – 2007 Tahoe:** Sold for \$6,200. Vote on accepting this bid next week.
- **Ordinance 2018-05 Credit for Volunteer Firefighters:** Solicitor Hayes stated that municipalities can give tax credits for earned income tax or

property tax credit. The borough can set a ceiling amount also. The question for council is do they want to offer either the tax credits or the earned income tax and what amount do we top out at? Vince Cruciani suggested maxing out at \$150. Solicitor Hayes will draft this for Council.

- **Resolution 2018-14 Sale Option for Borough Building:** Solicitor Kevin Hayes stated that he is working on this resolution. Council discussed options. Discussed putting an extension on this building and cover the parking area with additional building. Follow up with the Convenient building and find out the cost to adapt to that building. Ask Dave from Highland Associates and get info on this.
Vince Cruciani asked that the Council sign be taken down from the Pocket Park and Mayor Johnson wants to have the Council sign taken down from Veteran's Park too. Council discussed the work and progress at Carnation Park.
- **EMA agreement with Clarks Green:** Solicitor Hayes stated that he heard back from Clarks Green and they have 6 major changes they would like made to the agreement. They would like to have a committee made up of 2 Clarks Summit representatives and 2 representatives from Clarks Green and the EMA Director to discuss how to modify the EMA plan, there should be no issue with that. Establish a permanent committee to manage the EMA plan comprised of one member from Clarks Summit and one from Clarks Green and the EMA Coordinator. EMA would like the costs proportional based on population. They would like for the Mayors to coordinate with the EMA Director when the situation is in their municipality. \$750 to the Director and \$250 to the Deputy, each municipality pays their share based on population. There are advertising costs and the Solicitor's fees. The Clarks Summit Borough wants to have the contract for the EMA go in tandem with the Police Contract. Clarks Green would like different terms on the contract. Solicitor Hayes recommends that we do not compromise on this.
- **Bill Clarks Green re: EMA expenses**
- **Tire recycling event:** Dominic Scott and Pat Williams are going to be involved in this.
- **Stormwater on Vosburg:** Ms. Kehoe stated that PPL is working on the design and permit approvals with the conservation district and DEP. They have taken ownership of this.
- **Stormwater on W Grove:** MS. Kehoe stated that the work at the 900 block of West Grove is completed, that cost \$11,900. The low bidder for the work on West Grove Street by the school came out to \$68,000, unless there is an issue they should be done before school starts. This is 200 feet of pipe roughly.
- **Telespond – renew lease:** Solicitor Hayes is drafting a lease, he wants to make sure that all of the future maintenance costs, the senior center has to take care of. Referring to the sewer leak. The lease expires September 7, 2018. Vince Cruciani stated that we don't even have a deed for the Senior Center, how can we create a lease. Vince Cruciani asked where the Borough's legal authority is to enter into this contract. Solicitor Hayes stated that we have been operating in this building for over 20 years so we probably have it by adverse possession. Mr. Cruciani stated that he wanted to file an adverse

possession plan of the land and the building, can we claim it against the other four municipalities. That way we can get our footprint and that way we can divest in it.

Frank Besten stated that the Borough is looking for 2 part-time police officers. The Personnel Committee, the Chief and the Mayor interviewed 4 people. They collectively chose two people and they are all in agreement. The question is can we hire them now. The Mayor asked for a tentative approval because before they can get up and running, it will take two months. The Mayor stated that they are fed up with part timers that don't want to work; he would like to bring a list to the Personnel Committee and get rid of them. Vince Cruciani asked the Mayor is he is asking Council to do something before the meeting next Wednesday night. The Mayor wants to get the paper work started now because that takes time. Frank Besten stated that the Chief feels that if we could hire 2 provisional police officers part time for 36 hours every week, no benefits. The Mayor does not think that the union is going to give the Borough this in writing, but it is something to think about. Vince Cruciani stated that the union needs to put this in writing. If we let the union dictate in their letter a block of when the 72 hours will be, it can only be certain shifts so the other shifts can be open to other part timers. Vince Cruciani stated that during the vote next week, he is going to vote that the new hires get drug tested. They will need a drug test and a physical.

3. REVIEW OF SEPTEMBER 5, 2018 AGENDA

4. ADJOURN: President Carey