

**BOROUGH COUNCIL SPECIAL MEETING**  
**APRIL 26, 2017**  
**7:00 PM**

The April 2017 the Borough Council Special Meeting was conducted on Tuesday, April 26, 2017 at 7:00 P.M. The Meeting was held in Borough Council Chambers, 2<sup>nd</sup> Floor, 304 South State Street, Borough of Clarks Summit, County of Lackawanna and Commonwealth of Pennsylvania. Council members in attendance were Gerrie Carey, Mr. Dominic Scott, Mr. Frank Besten, Mr. Patrick Williams, Mr. Vincent Cruciani, Borough Manager Virginia Kehoe, Mayor Johnson, Solicitor Rogan, and Jr. Council Ms. Leonhart. Absent from the meeting was Bob Bennett and David Jenkins.

**PUBLIC HEARING FOR CDBG MONIES:** Jay Schectman from Lackawanna County ran a public hearing on the use of CDBG money. He addressed the need for a decision for this year's spending and discussed the qualifications for potential project.

**1. WORKSESSION:**

**President Carey**

**2. PUBLIC COMMENT**

**President Carey**

- **Helene Magnotta – Barberrry Stormwater:** Helene Magnotta, 206 Barberrry Lane, was speaking about the ongoing challenge with water and ice on Barberrry Lane. David Jenkins asked of the water is emanating from the property of Chris O'Boyle. Mr. Jenkins stated that by us putting in a catch basin and running a pipe under the road to the other catch basin that is on the other side of the road that might be a simple solution. Ms. Kehoe stated that there is not a catch basin on Barberrry Lane. Ms. Kehoe stated that he DPW reviewed the situation and in order to remedy it through our traditional strategy it would cost a little over \$13,000 in materials. Bob Bennett asked what their solution is. Bob Naegele came across a product that can be free standing or part of a stormwater system and instead of just putting in a drain, this is putting in a drain with a tree system involved. The free standing would capture the water and allow it to slowly absorb into the ground. The tree absorption would help speed up the absorption and help purity the contaminants which would count towards MS 4. It would be a temporary fix that we may be able to incorporate into the system later on. It is about a \$10,000 cost for a free standing system. This would accommodate a 20 year storm. Bob Bennett asked what kind of trees would be best. Ms. Kehoe stated that she has a list from the Shade Tree Commission. Mayor Johnson stated that a 20 year storm is not going to help her. It is a temporary fix at what cost. Ms. Kehoe stated that they have a daily issue. This is for the Engineer to look into more. Bob Bennett suggested a special committee or a public meeting with the engineer and the residents with Barberrry Lane. The committee will be Bob Bennett, David Jenkins and Gerrie Carey. Ms. Kehoe will assess the situation and inform the committee.
- **Bid Opening – 2017 SSES:** Virginia Kehoe opened up the bids. Bob Naegele will review the bids and make sure that all of the terms were met and give us a

recommendation for next week. The vote for the 2017 SSES will take place at the Council Meeting.

- **Bid Opening – 2017 Paving:** Virginia Kehoe opened up the bids. Bob Naegele will review the bids and make sure that all of the terms were met and give us a recommendation for next week. The vote for the 2017 Paving will take place at the Council Meeting.
- **Resolution 2017-08 Small Games of Chance:** David Jenkins stated that he would like to move forward with this for the Council meeting.
- **Resolution 2017-09 Radar Use for Local Law Enforcement:** David Jenkins stated that he would like to move forward with this for the Council meeting.
- **Resolution 2017-11 Request for Financial Assistance:** David Jenkins stated that he would like to move forward with this for the Council meeting.
- **Letter from Jack Nogi:** Ms. Kehoe stated that the issue is that when you are walking on Carnation Drive and the road curves, you are blind until you get around the car that is parked on Carnation Drive. The suggestion would not be to just ban parking but to pick if there is actually a spot that is unsafe for on street parking to get an engineer's report on it and then pursue banning parking there. The police do not feel that there is a problem there because they have not had any accidents. David Jenkins stated that he noticed that Mr. Nogi's plants are overhanging into the road also, that creates an issue. Mr. Jenkins stated that he thinks Mr. Nogi has to trim the bushes and the guy would have more room and there is no ordinance that the man cannot park on the street. Ms. Kehoe stated that there would have to be a safety issue to pass a No Parking ordinance. Also Mr. Jenkins stated that the Chief spoke to the man and he agreed to park in a different spot. Mayor Johnson stated that they talked to the gentleman and he has parked 100 feet up the street, is that going to solve the problem, maybe, maybe not. The only thing they can do is pass an ordinance to put No Parking on that side. Mayor Johnson stated that this is nonsense because this is one man (Nogi) making an argument; David Jenkins agrees that this is a frivolous complaint. Only if there is a legitimate safety issue, this is the reason they could pursue this. Bob Bennett stated that if there is no ordinance and the Chief advises them that there have been no accidents. This is frivolous and there is nothing they would do.
- **Lot Coverage Ordinance:** Virginia Kehoe stated that Council changed the ordinance on lot coverage and minimum lot sizes by doubling them for MS4 purposes. Ms. Kehoe stated that the borough has had some complaints from residents, at Gerrie's request the Planning Commission reviewed it and sent a recommendation back that they feel is a compromise. Ms. Kehoe stated that this was tabled last summer because it was too involved so Gerrie asked Virginia to put it back on the agenda for discussion. David Jenkins suggested putting it on the agenda.
- **Non Uniformed Union Contract:** Virginia Kehoe stated that she has supplied the current contract with the changes that were negotiated highlighted. David Jenkins suggested moving this ahead for a vote.
- **Part Time employee benefits:** Gerrie Carey and Bob Bennett discussed this with Virginia Kehoe. Bob Bennett stated that there are permanent part timers here at the borough who have been here for several years and they have no benefits. They thought if a person has been here for at least 2 years; give them enough personal time/vacation equal to what would normally be one week salary to use. Gerrie Carey stated this is an incentive. Mayor Johnson stated that he has no problem with this but

they should talk to the labor lawyer to make sure we would not be violating the statute.

- **FEMA mapping of Electric St:** Ms. Kehoe stated that there was a wooded area between Hosfeld and Electric. A company bought it, subdivided it and sold it for 3 lots. When they subdivided it they regraded the property the FEMA maps haven't been revised since then. The one property owner is asking the federal government to redo the map to reflect the new grading and they apparently need the support of the municipal government to do so. The Borough Engineer will render an opinion on this by next week. David Jenkins suggested putting it on the agenda.
- **Paving Inspector:** Ms. Kehoe stated that there is a week-long class to be certified as a paving inspector which is not being offered any time soon. But there is a class in Allentown on June 6<sup>th</sup> that gives information on this subject. It would give some education they could send a DPW worker to this class. David Jenkins suggested that Virginia Kehoe talk to Jay Miller about this because he would be a good fit to do this. He could be qualified to do spot checks. Mayor Johnson stated that we lost so much money with this black topping; he recommends we get someone with our DPW but they should try to get 2 people to go for the seminar. Bob Bennett is concerned that because he is in the union and he is taking on an additional responsibility and they are given extra money for it. He thinks this is a good idea for Jay Miller but he thinks they should check with the union. Ms. Kehoe stated that she would double check on this.
- **LED Street lighting:** David Jenkins stated that he would like to see this on the agenda.

Mayor Johnson stated that they should hire a code enforcement officer; hate to see the borough lose revenue. 22.5 hours a week. David Jenkins suggested having a letter of appreciation for Lori Harris.

David Jenkins stated that he heard a conversation about the police officers who are no longer ticketing cars during church on Saturday and Sunday. Mayor Johnson stated that they have not discussed that at all. The parking meter enforcement doesn't work Saturday, but the police have never been directed to give tickets on Saturdays. Mr. Jenkins stated that people are parking on the wrong side of the street.

Mayor Johnson asked for Civil Service Commission and advertising for a part time police officer.

**3. REVIEW OF MAY 3, 2017 AGENDA**

**4. ADJOURN:**

**President Carey**