

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
DECEMBER 5, 2018
RESCHEDULED TO DECEMBER 12, 2018**

The December 2018 Borough Council Meeting was conducted on December 12, 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. Frank Besten, Mr. Dominic Scott, Mr. Vincent Cruciani, Mr. Patrick Williams, Mr. David Jenkins, Mr. Bob Bennett, Police Chief Yarns, Mayor Johnson, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe.

Gerard Hetman – Lackawanna County

President Carey

Gerard Hetman from Lackawanna County Public Relations informed Council of events in the county.

CHERRY HILL PARTNERS – Land Development

President Carey

David Jenkins made the first motion to accept the recommendation made by the Planning Commission and approve the Land Development presented by Cherry Hill Partners, seconded by Dominic Scott. On the question Vince Cruciani asked when they plan on executing the easements. Kevin Hayes stated that they can do that, that evening. They are already signed. The vote was 7-0.

PUBLIC HEARING – Ordinances 2018 – 6 to 2018 – 10 – TAN, millages and sewer billing

David Jenkins made the first motion to approve Ordinances 2018-6 through 2018-10, seconded by Bob Bennett, vote was 7-0.

CALL TO ORDER:

President Carey

MEDITATION:

Mayor Johnson

PLEDGE OF ALLEGIANCE:

Mayor Johnson

1. APPROVAL OF AGENDA:

Bob Bennett made the first motion to approve the agenda, seconded by Frank Besten, vote was 7-0.

2. APPROVAL OF MINUTES:

President Carey

- **October 29, 2018 Tax Collector Interviews**
- **October 30, 2018 Council Work Session**
- **November 7, 2018 Council Regular Meeting**

Vince Cruciani made the first motion to approve the minutes, seconded by Frank Besten, vote was 6-0 with one abstention.

3. PUBLIC COMMENT & INPUT:

President Carey

Gene Gallagher, 205 Barrett Street stated that he is happy to see that the Grandview is now paid off. He discussed the fact that there was alternate plan that would have

saved the borough a lot of money but that didn't happen. Mr. Gallagher also discussed the Shade Tree Commission, saying that they need more financial support.

Mr. David Maher, 530 Knapp road spoke to Council about the fire hydrants around town that have been wrapped in black plastic and tape. David Jenkins did find out that the hydrants with the black wrap are in need of service from the water company.

Michael Craig at 131 Carol Drive is having a problem with his lateral. He was asking for financial help from the Borough. The Borough can only help with the pave cut fee. That can be waived because the area is already open. Vince Cruciani made a motion to waive the pave cut fee, seconded by David Jenkins. Mr. Cruciani suggested that Ms. Kehoe contact the water company for more information as to who is doing the sewer work. That way Mr. Craig will be informed as to who is doing the work.

4. POLICE REPORT:

Mayor Johnson

Frank Besten discussed the aggressive driving grants with Chief Yarns. Mayor Johnson stated that this is a good safety program for the Borough also. The Toys for Tots program was discussed. David Jenkins discussed the speeding and traffic in the Borough. Highland Avenue is an issue. Chief Yarns discussed the difficulty patrolling that area. Mayor Johnson stated that State Street is narrow and the traffic has increased, but they will address that area. Frank Besten stated that they are definitely looking out for another 36 hour part timer to hire. Chief Yarn's contract was discussed. Vince Cruciani made the first motion to pass the employment agreement with the Chief which is a 3 year agreement and he wants to make a notation that after discussions with Council President who aptly pointed out the Chief's consistent and strong work not only as the Police Chief of Clarks Summit Borough but as the acting Police Chief of Clarks Green, items in this contract account for that and run with the term of the Clarks Green contract and thus in falls in accord with performance expectations and budgeting, seconded by David Jenkins. Gerrie Carey stated that basically our Chief is on 24/7 as he gets calls from both Clarks Summit and Clarks Green. The vote was 7-0.

5. BIDS & QUOTATIONS:

President Carey

- **Vote Ordinance 2018-06 TAN – vote to accept bid from Wayne Bank at 2.74%** This was already accepted.

6. BOROUGH TREASURER'S REPORT

President Carey

David Jenkins made the first motion, seconded by Vince Cruciani, vote was 7-0.

7. COMMITTEE REPORTS:

- **Building & Plant**

Pat Williams, Chair

Pat Williams thanked Judge Barasse and To, Carter. Ms. Kehoe was asked to write a letter of thanks. They worked on Veteran's Park and Preate Park. They painted the fence on Bedford Street. He thanked Virginia Kehoe and the DPW for getting the equipment. Thanked Council for the money to fix the fence. They cleaned up Winola Road.

- **Finance Committee** Dominic Scott, Chair
- budgets
- **Grant Committee** Dave Jenkins, Chair
- **Recycling Committee** Bob Bennett, Chair
The Shred Fest should be the first Saturday after Earth Day.
- **Insurance Committee** Vince Cruciani, Chair
- **Personnel Committee** Gerrie Carey, Chair -
Chief Yarns Contract
- **Public Safety/Safety** Pat Williams, Chair
Pat Williams asked about the lack of snow removal after the last snow fall, specifically on Bedford Street to Depot Street. The reason for that was the DPW snow blower broke. It has been fixed. Keep an eye on Sproul. Pat Williams discussed the issue at Dunkin Donuts and the conditions. They agreed to vegetation. He wants them to build a wall and they wouldn't have to do anything else. Kevin Hayes will get the information and make a decision. Vince Cruciani stated that Pat Williams may have to be comfortable with the idea of a chain link fence with privacy slats, it that is the cheapest thing they might do it. Vince Cruciani stated that there is a house on Woodlawn that runs water right out in the street, in the winter it freezes up.
- **Recreation** Dominic Scott, Chair
Vince Cruciani asked if the corner of the basketball court get fixed. Ms. Kehoe stated that was on the punch list and she is assuming that it was fixed.
- **Sewer Billing** Dominic Scott, Chair
Jenn Basalyga commented that the water was shut off and a payment was made immediately and the turn on was issued. Vince Cruciani asked if the insert has been submitted. David Jenkins asked if the homes on the water shutoff list are all vacant. There is one house on Knapp Road that still appears to have occupants.
- **ACOG Representative** Frank Besten/Gerrie
Carey/Dom Scott
- **Building plans committee** Gerrie Carey/Frank
Besten/Pat Williams: Still waiting to hear from Highland Associates.
- **LCAB** Patrick Williams
- **SAPA** Dave Jenkins
- **Additional comments from Council**
Vince Cruciani stated that he received an inquiry from Bill Risse from the AAJRB about the Senior Center. Mr. Risse wants time for a discussion. Mr. Cruciani stated that he believes that there are 3 stakeholders who consist of the Senior Site Council, Clarks Summit Borough and the AAJRB. Mr. Cruciani stated that he believes that the Senior Site Council and the AAJRB need to have a formal meeting because Telespond is a conduit for the Senior Site Council to utilize the building. Telespond is not a stakeholder. There has been talk about us regionalizing the building into regional ownership through the AAJRB and that is what he thinks Bill Risse wants to meet about. Mr. Cruciani thinks that there will be greater efficiency if the seniors and the AAJRB meet first. Then he would like an advertised public hearing in Loughney Hall with Clarks Summit Borough Council, with the AAJRB and with the Senior Site Council. They can be represented by 3 people or so by leadership. They would be best served to go into this public meeting getting rid of small disagreements or issues ahead of time so

that way they can present major disagreements or agreements to Borough Council and to the public. If they don't get together by March 2019 then we put in the sewer mailer insert an April date for a meeting. In April we can have the public hearing and anybody that wants to come can come. He wants this done on the record and in public. He would like the public meeting no later than April 12, 2019.

Frank Besten stated that the area on Carnation and Tulip where they threw the junk dirt, that area was cleaned up and seeded. Dominic Scott stated that Gerrie Carey had a birthday. Ms. Kehoe stated that she does have the newsletter drafted to send in tomorrow.

Pat Williams asked about the storm drain on Winola Road. Ms. Kehoe stated that Borough Engineer Bob Naegele needs to engineer it first.

8. VENDOR PAYMENTS TO BE RATIFIED: President Carey

Vince Cruciani made the first motion to ratify the vendor payments, seconded by David Jenkins, vote was 7-0.

9. OLD BUSINESS: President Carey

- **Replacement for TCC – Conrad Kwolek / Ben Pisanchyn:** Vince Cruciani made the first motion to appoint Ben Pisanchyn as the replacement for the TCC, seconded by Bob Bennett, vote was 7-0. Vince Cruciani wanted to find out if Mr. Pisanchyn would be able to stay on the TCC committee if he ran for and won the Tax Collector position. Ms. Kehoe would look into this.
- **Cancel December work session:** David Jenkins made the first motion to cancel the worksession, seconded by Bob Bennett, vote was 7-0.
- **Sheridan Ave:** Frank Besten stated that he thought the bid came in too low; he would like to advertise in different areas besides just locally. Frank Besten made the first motion to reject the bid, seconded by Bob Bennett. The vote was 6-1 with Vince Cruciani voting no. Vince Cruciani stated that if money is the issue then what we want to do is bid out the whole property and no not leave any green space. Mr. Cruciani doesn't believe the issue is that the bidder was a regional developer. Mr. Cruciani stated that the reduction in the incoming money is worth the park that we were going to have there and he realizes that he is in the minority. Solicitor Hayes stated that the bid that came in did not meet Council's expectations and he thinks they should set a base minimum bid amount. The appraisal amount is \$150,000. David Jenkins made the first motion to rebid the property with a minimum bid of \$160,000. Bob Bennett stated that he is concerned that we won't get any bids with that minimum. Vince Cruciani stated that we need to sell this property if Council is serious about moving into another building. We need the cash flow. Mr. Cruciani stated that if we take a loan, there will be at least \$25,000 to 30,000 in interest that would need to be paid back over a 10 year period. Solicitor Kevin Hayes stated that Council can wait until he drafts a resolution, then Council can read that over and decide at the January meeting. This vote was tabled until the January meeting. David Jenkins withdrew his motion.

10. NEW BUSINESS: President Carey

- A. **Ordinances 2018 – 6 through 2018-10 – TAN, Millages and sewer billing**
- B. **Resolution 2018-23 CDBG Budget – Ratify:** Ms. Kehoe stated that Council agreed to have the elevator reconditioned, the audible pedestrian signals, and use CDBG money for it so this has to be ratified. David Jenkins made the first motion to ratify Resolution 2018-23, seconded by Pat Williams, vote was 7-0.
- C. **Cherry Hill Partners – Land Development Plan**
- D. **Contract Chief Yarns**
- E. **Request from Jenn Basalyga:** Gerrie Carey stated that Council would like to bring this up at the January Worksession because they need more time. Mr. Cruciani stated that the raise would go into effect until the second quarter of 2019. Ms. Basalyga understood and agreed.

11. SOLICITOR’S REPORT: Solicitor Hayes

12. CORRESPONDENCE:

- **Lee Jamison:** Discussed the request for the closing of Zimmerman, between State Street and the alley in one section. David Jenkins made the first motion to approve the request. Mr. Cruciani asked for more details. Send a letter to the property owners on both sides of the street. Vince Cruciani seconded the motion, vote was 7-0.
- **MaryAnn Nichols:** Request for a handicapped space. This would have to be done by ordinance; the space could not be temporary. Also in the winter there is no overnight parking. David Jenkins made the motion to give the Solicitor the go ahead to draft an ordinance. Vince Cruciani asked what other areas in the Borough do we have handicapped street sign parking that doesn’t not involve a professional or commercial building. Mr. Cruciani is concerned that putting this handicapped spot up for the reasons she requested, major issue in the winter, they will park there on the road. Mr. Cruciani suggested that we tell the people who requested this the reality then let’s see what they have to say and then take this up in January. Ms. Kehoe will also let them know that this process takes time. If they have this spot and park there when there the overnight parking ban is active, they will be ticketed. Mr. Cruciani stated that before we send them anything, do we have one single handicapped spot that isn’t related to a non-residential individual home. Mayor Johnson stated that this needs to be researched because it can backfire on them. Mr. Williams stated that he talked to George Carros. We have 3 handicapped parking spots in town and he wanted to see if there are any recommendations.
Vince Cruciani stated that we have a handicapped spot on Zimmerman which they just voted to close during the ice festival. Mr. Cruciani made the first motion to rescind his motion to close that area for the ice festival. That is one of the only spots downtown that has a handicapped spot. This was seconded by David Jenkins, vote was 7-0.

13. EXECUTIVE SESSIONS: President Carey

- **Prior- 11/28/18 Safety Issues**
- **During- None**

- **Subsequent-**

12/12/18 Negotiations

14.

ADJOURN:

President Carey

Frank Besten made the first motion to adjourn, seconded by Bob Bennett, vote was 7-0.