

**BOROUGH OF CLARKS SUMMIT  
BOROUGH COUNCIL MEETING  
JUNE 5, 2019**

The June 2019 Borough Council Meeting was conducted on June 5, 2019 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 Ms. Gerrie Carey, Mr. Patrick Williams, Mr. Dominic Scott, Mr. David Jenkins, Mr. Bob Bennett, Mayor Johnson, Police Chief Chris Yarns, Frank Besten, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe. Mr. Vincent Cruciani was absent.

**CALL TO ORDER:**

**President Carey**

**MEDITATION:**

**Mayor Johnson**

**PLEDGE OF ALLEGIANCE:**

**Mayor Johnson**

Borough Engineer Bob Naegele addressed Council concerning the bio retention area at Floral Park. After the last couple storms, it has been very wet, and this seems to be the new norm. After the rain there was a situation at the basin with high waters overflows. They have pictures and documentation; the system didn't handle all the water. There was water coming out of just about everywhere. Some of the inlets were surcharging, there was water under the road and damaged part of the road in that area. There were signs of water leaving yards and coming across the road. Mr. Naegele stated that they do have some concept ideas that they would like to discuss. Mr. Naegele stated that DEP has past guidance, basin two with the outfall structure, the emergency spillway, this basin doesn't drain as well as it should. They would like to install an underdrain, it's like a french drain that you would put around your foundation. Mr. Naegele presented a plan view and a cross section for Council to review. This plan is right out of DEP's BPM. In addition, they looked at the inlet that is just upstream from where it comes into the basin, Mr. Naegele would like to lower the berm in front of it and rebuild the berm. Mr. Naegele stated that he wants to lower the outfall by taking the grate off. Debris has been getting stuck in the grate. He would like to put in a trash rack, it lets the water go through but prevents the bigger items from getting through. They will put in threaded rods with 4 inch holes. Bob Naegele stated that there is a tremendous amount of water that goes through that corridor. Floral Park really didn't have sufficient stormwater when it was built the first time around and we are trying to catch up and the rain events have only gotten worse. The DPW could put in the thread rods through the top and take the grate off. Punch one inch holes to help with the run off. The berm and the underdrain work might need to be contracted out. Pat Williams asked about putting in another catch basin or rain garden where the basketball courts. Remove the basketball court for more drainage. Ms. Kehoe stated that what underground system that was there at Carnation Park before the rain garden was smaller than what was there now.

Frannie Jones from 211 Electric Street asked if the borough keeps the catch basins cleaned out. The DPW does check the catch basins around town. Frank Besten stated that if anyone sees a storm drain that needs attention please let the borough know. Mayor Johnson stated that he thinks the borough should have a maintenance program for the storm basins.

Tom Hendrian of 1004 Carnation drive stated that they need storm drains cleaned in his neighborhood. He suggested that rock should be put in because the wall area is eroding. Possibly a galvanized funnel or plastic pipe over the bank. Ms. Kehoe will meet Bob Naegele and David Thorne at that area. Mr. Hendrian asked about the basketball court. Bernie O'Malley, 309 Carnation Drive asked Mr. Naegele questions. Mr. O'Malley stated that there is mulch at the Carnation Drive site. The mulch is blocking the grate, he suggested not using mulch. Artie Frank asked why the flags were at half-staff. Ms. Kehoe stated that was because of the shooting at Virginia Beach.

**1. APPROVAL OF AGENDA:**

Frank Besten made the first motion to approve the agenda, seconded by Dominic Scott, vote was 6-0.

**2. APPROVAL OF MINUTES:**

**President Carey**

- **April 24, 2019 Work Session:** Bob Bennett made the first motion to approve the minutes, seconded by Dominic Scott, vote was 6-0.
- **May 1, 2019 Regular Council Meeting:** Dominic Scott made the first motion to approve the minutes, seconded by Pat Williams, vote was 6-0.

**3. PUBLIC COMMENT & INPUT:**

**President Carey**

Ryan Seibecker and Susanna Hayes from the National Running Center spoke to Council about the Patriot Run and its success. They had 125 runners. They donated \$1,000 to the Abington Community Library.

Angie Pullo, 535 Gladiola Drive spoke to Council about Knapp Road. She is concerned about the speeding and people not stopping at the stop signs. She wanted Council to consider making Knapp Road a one way street. This has been discussed and this was not a viable option.

Frannie Jones asked about the brush pickup. The borough had a chipper a long time ago. The problem is that we did not have any warning from the Recycling Center. We are informing people that the pieces of brush need to be cut down to no longer than 2 feet. Grass clippings were never taken by the DPW. Thanked the borough for filling in the alleyway by her. She asked if that alleyway can be paved. Frank Besten stated that they have to prioritize the paving list. The heavily used roads are done first. Ms. Jones asked that her husbands' banner be straightened. Ms. Kehoe stated that she would have the DPW try to straighten it.

Ryan Mitvalsky, 115 Marion spoke to Council about the loader that was purchased. He asked Council why they spent \$12,000 in excess on the loader. He has been asking for information as a taxpayer. Mr. Mitvalsky stated that the other machine that the borough did not buy was a better machine and he listed the reasons why. Ms. Kehoe stated that the borough bought a Skid Steer from Mr. Mitvalsky that was \$3,000 more expensive because it was more appropriate to the borough's needs. Ms. Kehoe stated that the recommendation came from the DPW that based on their specific needs, the one purchased was the most comfortable and agile machine that fit their needs. Gerrie Carey stated that the DPW spent months researching this information. Ms. Kehoe stated that the DPW was able to test drive the loader they

purchased. Mr. Mitvalsky mentioned the Stivala property off Winola Road. He stated that the windows are being boarded up and cleaned up the material there. We are aware of the issue. Pat Williams wants to see what we can do with these problem properties. He wants to see if the state can offer any help. Council discussed raising the monetary penalties.

Gerart Hetman from the Lackawanna County Public Relations Department informed Council of events happening in Lackawanna County.

**4. POLICE REPORT: Mayor Johnson**

**5. BIDS & QUOTATIONS: President Carey**

- **2019 Paving Project – vote to accept \$390,342 bid from Pennsy Supply:** David Jenkins made the first motion to approve the 2019 paving project, seconded by Bob Bennett, vote was 6-0.
- **2019-2020 Liability Insurance – vote to accept \$36,472 bid prepared by Henkelman Insurance:** David Jenkins made the first motion to approve the Liability Insurance, seconded by Dominic Scott, vote is 6-0.
- **Christmas Lighting Repairs – vote to accept \$4,200 from Walsh Electric:** Frank Besten made the first motion to approve the Christmas lighting repairs, seconded by Dominic Scott, vote was 6-0.

**6. BOROUGH TREASURER’S REPORT President Carey**

Bob Bennett made the first motion to approve the Treasurer’s Report, seconded by David Jenkins, vote was 6-0.

**7. COMMITTEE REPORTS:**

- **Building & Plant** Pat Williams, Chair  
Pat Williams stated that Mikes’ Welding will begin the work on Grove Street. No Shade Tree Meeting, thanked the DPW for sweeping Depot Street and the triangle area. Flag Day is June 14<sup>th</sup>.
- **Finance Committee** Dominic Scott, Chair  
payoff TAN: David Jenkins made the first motion to pay off the TAN, seconded by Pat Williams, vote was 6-0.
- **Grant Committee** Dave Jenkins, Chair  
Looking good for grant for \$9,400 for speed sentrys.
- **Recycling Committee** Bob Bennett, Chair  
Shredfest July 13
- **Insurance Committee** Vince Cruciani, Chair
- **Personnel Committee** Frank Besten, Chair  
Frank Besten stated that they are in the early stages of the police contract.
- **Public Safety/Safety** Pat Williams, Chair
- **Recreation** Dominic Scott, Chair
- **Sewer Billing** Dominic Scott, Chair  
messages for Newsletter? Ms. Kehoe stated that if anyone wants information in the newsletter get it to her within a couple days. Dominic Scott read through the

sewer billing report. Discussed the Riley sewer account at 184 Knapp Road. Solicitor Kevin Hayes stated we sent a letter to him. He is in violation of three provisions of the IMPC because he doesn't have water. Jenn Basalyga stated that the delinquent letters will be going out at the end of the month.

- **ACOG Representative** Frank Besten/Gerrie Carey/Dom Scott
- **Building plans committee** Gerrie Carey/Frank Besten/Pat Williams
- **LCAB** Patrick Williams
- **SAPA** Dave Jenkins  
Progress is being made.
- **Sr. Center Committee** Gerrie Carey, Kevin Hayes  
Solicitor Hayes stated that there will be a meeting on June 19<sup>th</sup> with Telespond. Solicitor Hayes stated that he wrote a letter to Telespond with regard to the inspection report that we received from BIU. The report stated that there were material defects and areas of concern with the Senior Center. Solicitor Hayes letter stated that pursuant to the lease, the issues are their responsibility. One issue is with the combustible material by the utility box and the furniture in the bathroom.
- **Additional comments from Council**

**8. VENDOR PAYMENTS TO BE RATIFIED: President Carey**  
Dominic Scott made the first motion to pay the bills, seconded by Frank Besten, vote was 6-0.

**9. OLD BUSINESS: President Carey**

- **Appoint Traci Harte to Shade Tree Commission:** David Jenkins made the first motion to appoint Traci Harte, seconded by Dominic Scott, vote was 6-0.
- **Payment plan for New Enterprise – 2018 Paving:** David Jenkins made the first motion to approve the payment plan and the 4 year warranty on all roads and completion of the punch list with the Engineer's approval (with the Solicitor's conditions,) seconded by Bob Bennett, vote was 6-0.

**10. NEW BUSINESS: President Carey**

- **Resolution 2019-11 Records Destruction:** David Jenkins made the first motion to approve Resolution 2019-11, seconded by Bob Bennett, vote was 6-0.
- **Resolution 2019-12 Building Inspector:** David Jenkins made the first motion to approve Resolution 2019-12, seconded by Dominic Scott, vote was 6-0.
- **Resolution 2019-13 TCC Delegate:** Bob Bennett made the first motion to approve Resoluti8on 2019-13, vote was 6-0.
- **Letter to Lackawanna County Solid Waste Authority:** David Jenkins made the first motion to approve the letter, seconded by Bob Bennett, vote was 6-0.

**11. SOLICITOR'S REPORT: Solicitor Hayes**

Solicitor stated that there was a meeting with NEIC. Solicitor Hayes stated that we do have an ordinance that deals with intensity of the lighting on billboards. The Code Officer would start off writing a letter, we do have the ability to levy fines. Dave Jenkins suggested sending a courtesy letter. The owner of Scranton Downtown is Neil Deluca. Solicitor Hayes is going to look into the nuisance ordinance concerning the blighted properties. The ordinances can be amended to change the fines.

**12. CORRESPONDENCE:**

- **Janet Loewe:** Solicitor Hayes stated that he prepared a settlement agreement with Ms. Loewe whereby the Borough would reimburse her for the cost of having the repair work done. Ms. Loewe could be supplied with a credit on her sewer bill. David Jenkins approved the settlement agreement on the advice of our Solicitor, seconded by Bob Bennett, vote was 6-0. Solicitor stated that the credit is only for Ms. Loewe.

**13. EXECUTIVE SESSIONS:**

**President Carey**

- **Prior-** None
- **During-** None
- **Subsequent-** None

**14. ADJOURN:**

**President Carey**

Bob Bennett made the motion to adjourn.