

**BOROUGH OF CLARKS SUMMIT  
BOROUGH COUNCIL MEETING  
SEPTMEBER 4, 2019**

The September 2019 Borough Council Meeting was conducted on September 4, 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. Vincent Cruciani, Mr. Frank Besten, Mr. Bob Bennett, Mayor Johnson, Police Chief Chris Yarns, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe. Mr. Dominic Scott and Mr. David Jenkins were absent from the meeting.

**CALL TO ORDER:** **President Carey**

**MEDITATION:** **Mayor Johnson**

**PLEDGE OF ALLEGIANCE:** **Mayor Johnson**

**RECOGNITION OF SHADE TREE COMMISSION:** **President Carey**  
Clarks Summit Borough was recognized by Congressman Matt Courtright through a letter, by Tree City USA. Members of the Shade Tree Committee were there for photo op and Gerrie Carey read the congratulation letter.

1. **APPROVAL OF AGENDA:**  
Frank Besten made the first motion to approve the agenda, seconded by Pat Williams, vote was 5-0.
  
2. **APPROVAL OF MINUTES:** **President Carey**
  - **July 31, 2019 Work Session:** Vince Cruciani made the first motion to approve the minutes, seconded by Bob Bennett, vote was 5-0.
  - **August 7, 2019 Regular Council Meeting:** Frank Besten made the first motion to approve the minutes, seconded by Pat Williams, vote was 5-0.
  
3. **PUBLIC COMMENT & INPUT:** **President Carey**  
Dori Waters handed out brochures for the fall classes. Ms. Waters stated that they have an art exhibit; she encouraged Council to check out the artwork. She had an idea for meet the candidates, for the public to meet the candidates running for Council. Gerard Hetman from the Lackawanna County Public Relations Department updated Council on events happening in Lackawanna County.
  
4. **POLICE REPORT:** **Mayor Johnson**  
Council agreed to put the police Tahoe on Municibid for October. Ms. Kehoe will get a solid number from Chris Yarns.
  
5. **BIDS & QUOTATIONS:** **President Carey**

- **Powell Ave Stormwater Project vote to accept bid from Linde Corp for \$63,738.50:** Frank Besten made the first motion to accept the bid from Linde Corp, seconded by Pat Williams, seconded by Pat Williams, vote was 5-0.
- **Ratify award of Carnation Park Underdrain project to JS Wright for \$19,960.20:** Vince Cruciani made the first motion to ratify the award to JS Wright, seconded by Bob Bennett, vote was 5-0.

6. **BOROUGH TREASURER’S REPORT** **President Carey**  
 Bob Bennett made the first motion to approve the Treasurer’s Report, seconded by Frank Besten, vote was 5-0.

7. **COMMITTEE REPORTS:**

- **Building & Plant** Pat Williams, Chair
- **Finance Committee** Dominic Scott, Chair  
 Ms. Kehoe stated that the borough will be setting up the first budget meeting with the Finance Committee and they need to replace Dominic Scott.
- **Grant Committee** Dave Jenkins, Chair  
 Ms. Kehoe stated that the borough will be submitting the LSA application for the borough building by the end of the month.
- **Recycling Committee** Bob Bennett, Chair
- **Insurance Committee** Vince Cruciani, Chair
- **Personnel Committee** Frank Besten, Chair  
 Frank Besten stated that negotiations with the union since May and proposals were exchanged. In the July meeting the policemen walked out. They have filed for arbitration, so the labor solicitor will get in touch with the union solicitor and see a direction that they are going in. Everything the borough proposed is off the table. As soon as they hear from Joe O’Brien, they would like to meet again and pound out a contract.
- **Public Safety/Safety** Pat Williams, Chair  
 Pat Williams stated that we need stop bars on Winola Road. Ms. Kehoe will contact Penndot. Pat Williams referred to a gas box on State Street. Ms. Kehoe will talk to Penndot because they would have to enforce that with UGI. Bob Bennett stated that the shoulder of Winola is still torn up. Mr. Williams discussed the poles at Veteran’s Park. Someone took the poles out. Mayor Johnson suggested snow poles. He was worried this would be a safety issue.

Solicitor Hayes gave an update on Sheridan Avenue Field. He stated that the Board of Commissioners has agreed that they would, by quick claim deed, release any potential claim that they could have to the parcels of land at Sheridan Avenue Field. That should expedite things. The Borough will file a quiet title for these parcels.

- **Recreation** Dominic Scott, Chair  
 Gerrie Carey stated that Council did postpone their worksession from Wednesday to Thursday last week because Senator Blake and his band were supposed to play at the last concert at Hillside Park. But the concert got rained out. Gerrie Carey thanked the Council members stating that everybody was on board, and the Senator wanted to thank Council for their support. Bob Bennett asked the hours that Hemlock Park is open. They are open from 7am-7pm.

- **Sewer Billing** Dominic Scott, Chair  
Bob Bennett asked about Joe Riley’s situation. Jenn Basalyga stated that this really is a Code Enforcement issue at this point. Solicitor Kevin Hayes will be looking into the condemnation process. It appears that they are living in the house.
- **ACOG Representative** Frank Besten/Gerrie Carey/Dom Scott
- **Building plans committee** Gerrie Carey/Frank Besten/Pat Williams
- **LCAB** Patrick Williams
- **SAPA** Dave Jenkins
- **Sr. Center Committee** Gerrie Carey, Kevin Hayes  
Solicitor Hayes stated that next week he would get together with Greg Pascale, Bill Risse, and Gerrie Carey and they can discuss getting together with other municipalities on the board.
- **First Presbyterian volunteers available for clean up project 9/21 at 10:30**  
Council decided that volunteers are needed at Veteran’s Park.
- **Additional comments from Council**

8. **VENDOR PAYMENTS TO BE RATIFIED:** **President Carey**  
Vince Cruciani made the first motion to approve the vendor payments, seconded by Bob Bennett, vote was 5-0.

9. **OLD BUSINESS:** **President Carey**

- A. **Update on new electronic sign:** Solicitor Kevin Hayes stated that he received comments from Virginia Kehoe and one Council member. Suggestions were who will remove the sign, at whose expense. Changing the terms of the lease from 20 to 10 years. Getting a description of the plot plan and the signage. Also confirming that no trees will be removed. He will continue working on the contract and contact them about the revisions requested.
- B. **Sale of Tahoe:** Already discussed.

10. **NEW BUSINESS:** **President Carey**

- **La. Cty. Hazard Mitigation Plan – 5 yr update:** Frank Besten made the first motion to approve of Gerrie Carey signing the plan and Virginia Kehoe would be the Municipal Representative, seconded by Bob Bennett. On the question, Vince Cruciani asked if this is a binding commitment with the county. Solicitor Hayes stated that the county generates a report that identifies the hazardous areas of the county, and the plans to mitigate. We would help identify areas in our town. The vote was 5-0. The borough provides the best faith effort for this.
- **MMO- vote to sign the MMO reports for the police and non-uniformed pensions:** Vince Cruciani thanked Don Williamson as the MMO went from \$191,000 to \$56,000 this year. He stated that the big concern he had was with the turnaround that the borough was quoted happening 4 years ago has occurred. Mr. Cruciani thanked Mr. Williamson for accurately predicting within a reasonable time frame, the results that he put out 4 years ago. The concern has been removed and addressed. Vince Cruciani made the first motion to authorize Gerrie Carey to

sign the MMO, seconded by Bob Bennett, vote was 4-0-1 with Pat Williams abstaining.

- **Resolution 2019-16 vote to accept Dominic Scott resignation:** Frank Besten made the first motion to accept Mr. Scott's resignation, seconded by Pat Williams, vote was 5-0. Solicitor Hayes stated that Council has 30 days to fill the vacancy. All interviews will be conducted at the worksession on September 24<sup>th</sup> and a vote could take place that day. Recess this meeting. All interviews and the vote has to be public. Then that person can be sworn in on October 2<sup>nd</sup>. If Council cannot come to a consensus and make an appointment within 30 days then this goes to the Vacancy Committee, Jim Klein is the chair. The Vacancy Committee has an additional 45 days to make a suggestion for a nominee. Council will accept resumes through September 16<sup>th</sup>.
- **Vote on request of ID8 for closing parking spaces on 9/12/19:** Bob Bennett made the first motion to accept the request from ID8, seconded by Frank Besten, vote was 5-0.

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

12. **CORRESPONDENCE:**

- **Thank you from the Waverly Comm:** Mayor received a letter from Marie Wilson, July 26 was declared Waverly Community Center.

13. **EXECUTIVE SESSIONS:** **President Carey**

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

14. **ADJOURN:** **President Carey**

Bob Bennett made the first motion to recess. This is for the limited topic of interviewing candidates and a potential vote. Vince Cruciani stated that they should advertise a special meeting the night of the worksession for purposes of voting. There would be no reason to recess this evening. Bob Bennett withdrew his motion to recess. Vince Cruciani made the first motion to adjourn, seconded by Pat Williams, vote was 5-0. This way if something comes up that needs to be voted on they could do that at the special meeting.