

**BOROUGH COUNCIL SPECIAL MEETING
SEPTEMBER 25, 2019
7:00 PM**

The September 2019 Borough Council Special Meeting was conducted on Wednesday, September 25, 2019 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. Vincent Cruciani, Mr. Patrick Williams (arrived at 6:59), Mr. Frank Besten, Mr. Bob Bennett, Mayor Herman Johnson, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe. Mr. Jenkins was absent.

1. **Scott Replacement Interviews:**

6:45 Robert Sheils III: Robert Sheils was interviewed for the position of Councilperson. Dominic Scott stepped down and Robert Sheils III was interviewed as a replacement on Clarks Summit Borough Council. Vince Cruciani stated that in light of Mr. Sheils being the only candidate and a candidate for Council in the fall. Questions 5, 6, 7 and 9 are not necessary. Solicitor Hayes agreed stating that these are proposed questions. Gerrie Carey continued with a question. She asked if there is any particular legislation that he would like to see enacted by Council. Mr. Sheils stated that there is not anything in particular. Mr. Sheils mentioned the local fire company. He stated that the tax credit to the volunteers at the fire company was a great idea, he wondered if that increased membership. He would like to see something in Harrisburg, possibly with state legislators, to see if they can lower the requirements or put some kind of law into place to allow firefighters not to worry about liability and being sued if they have a certain amount of training and they have a good faith effort. Gerrie Carey asked if Mr. Sheils could change one thing in the zoning code what would it be and why. Mr. Sheils stated that there is nothing he would change. Gerrie Carey asked if Clarks Summit Borough received a million dollar grant to use in the Borough for any way they wanted, what would Mr. Sheils do with it and why. Mr. Sheils stated that maintaining the economic development of our community is very important. The Borough has an obligation to try to provide quality service to our residents. People want good roads, the trash to be taken care of, and a good police department. The costs of running the borough naturally increase. Gerrie Carey asked what makes an effective Councilmember. Mr. Sheils stated that you need to be willing to work hard, be ready to learn and listen, listen to other people's experiences. As an attorney, he deals with difficult people and you need to be respectful of other people. Gerrie Carey asked what is the biggest threat or risk to reducing the quality of life in the borough. Mr. Sheils stated that the biggest threat is apathy, if people don't get involved with the community, if they don't have a sense of pride in their home or businesses.

2. **WORKSESSION:**

President Carey

3. **PUBLIC COMMENT:**

There was no public comment on the Robert P. Sheils issue.

- **Vote for Councilman Scott's Replacement:** Gerrie Carey entertained a nomination to fulfill the vacancy of a Councilmember. Frank Besten made the first motion to accept Resolution 2019-19, and nominate Robert P. Sheils III to replace Dominic Scott as Councilman, seconded by Pat Williams. Ms. Carey took a roll call vote. Mr. Pat Williams voted yes, Mr. Frank Besten voted yes, Mr. Vince Cruciani voted yes, Mr. Bob Bennett voted yes, and Gerrie Carey voted yes. The vote was unanimous.

Public Comment: Laura Gardosky and Renee Roberts from the Abington Community Library provided an update on the library events. Artie Frank addressed Council. He stated that there was a lot of work done at the former Carnation Park. But, Mr. Frank stated that there is still an issue with the water coming out of the pipe. Mr. Frank asked about the property on Bedford which is owned by Miles. The old foundry is an absolute disgrace. He discussed possible fines for the property. Mr. Cruciani stated that he has brought that up at other meetings and agrees with Mr. Frank. Solicitor Hayes stated that if there are specific Quality of Life violations, we could send the letter. Ms. Kehoe stated that we will talk to the Building Inspector and look into what violations can be cited. We will also look into the business itself. They will also act on the sink hole at the former Carnation Park. Vince Cruciani stated that he thinks Council approved funding to sprinkle powdered coyote urine all over the park, then use it again in the spring.

- **Update on Electronic Sign:** Solicitor Hayes discussed a company that would replace our electronic sign that is not working. The Borough would lease the space to them and they would put advertisements on it where a certain percentage of the messages would be dedicated to the Borough. Solicitor Hayes is working on the contract. They are asking for a 20 year term, we are looking for 10 years. We requested a payment of \$3,500 per year. Gerrie Carey stated that they are willing to take down the sign that is there and replace it with a new sign. This is no cost to the borough. Ms. Carey stated that this is a win win for the borough. Vince Cruciani asked for an estimate of how much it would cost to just remove the current sign that isn't working. Ms. Kehoe is working on an estimate. The DPW could also take care of that. Solicitor Hayes stated that they are still working on the agreement.
- **Councilman Scott's replacement on Civil Service Committee:** Virginia Kehoe stated that Dominic Scott was on the Civil Service Committee and his seat needs to be replaced. The two alternates are George Yarns and Gerry Seibert. Gerrie Seibert is the first choice because George Yarns is the father of the Police Chief. Mayor Johnson stated that he didn't think that would be any concern. Solicitor Hayes stated that he would have a concern with that also. The Civil Service Committee should be independent, so there is no conflict. That could be a potential issue. Mayor Johnson stated that he

doesn't see this as an issue because George Yarns worked for the state and was a police officer and he's been on the Civil Service and he was an EMA Director in Clarks Summit. He was a Fire Chief in Clarks Summit also. Mayor Johnson recommended bringing both Yarns and Seibert in to talk to them. Frank Besten thinks interviewing them would be redundant. Bob Bennett made a motion on the advice of the Solicitor to flip them and move Gerry Seibert up to a regular voting position as opposed to an alternate, seconded by Vince Cruciani. On the question Solicitor Hayes stated that the purpose of the Civil Service is that you have an independent body that could never be called into question. Mr. Cruciani stated that it makes it more likely that the Borough can't be sued. The vote was unanimous.

- **The Gathering Place – awning bid:** Dori Waters discussed the awning proposal for The Gathering Place. The Borough will not incur any expense. The awning will be out 30 inches and they will be used year round. Vince Cruciani asked about the durability of the awnings with heavy snow. That is not a problem, they are treated and they are a steep incline. The snow won't fall on people. She will need a construction permit for the awning. Is there a manufactures warrantee? They would have the maintenance responsibility. Vince Cruciani made the first motion upon the Solicitor's review and approval with the terms of the warrantee, to permit The Gathering Place to install the awnings based on the design circulated to the Borough Manager and to waive the permit fees, seconded by Frank Besten. Bob Bennett asked about the liability if someone gets hurt due to the awning. The Gathering Place has insurance and we would need a copy of that. Mr. Cruciani amended his motion to include the liability insurance from The Gathering Place. Frank Besten also seconded the amendment. Pat Williams thinks this would be a big addition to the building. He asked why the awning is going to be green. Also there would not be any lettering on it. Vince Cruciani asked what the fade life is on the awning. Ms. Waters said they are guaranteed for 10 to 15 years. The architect did make the awnings green on the plan and it jumps out at you. The vote as unanimous.

4. **REVIEW OF OCTOBER 2, 2019 AGENDA**

5. **ADJOURN:** **President Carey**
Vince Cruciani made the first motion to adjourn, seconded by Bob Bennett vote was unanimous.