

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

The December 2019 Borough Council Meeting was conducted on December 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, Mr. David Jenkins, Mr. Robert Sheils, Mayor Johnson, Police Chief Chris Yarns, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe.

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

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

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

**PUBLIC HEARING – Ordinances 2019 – 3 to 2019 – 06 – TAN, general fund and fire fund millages and sewer billing**

For the purpose of the record, there was no one at the meeting for Public Hearing.

1. **APPROVAL OF AGENDA:**

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

2. **APPROVAL OF MINUTES:**

**President Carey**

- **October 30, 2019 Work Session**
- **November 6, 2019 Regular Council Meeting:** Vince Cruciani made the first motion to approve both the work session and the regular council meeting's minutes, seconded by Bob Sheils, vote was 7-0.

3. **PUBLIC COMMENT & INPUT:**

**President Carey**

4. **POLICE REPORT:**

**Mayor Johnson**

Vince Cruciani made the first motion to approve, out of the Capital Reserves fund, \$3,775 for a new repeater, seconded by David Jenkins. Mr. Jenkins suggested including the additional \$750 if an antenna is needed. Mr. Cruciani changed his motion to reflect funding up to \$4,575 to cover the whole amount at the Chief's discretion. The vote was 7-0. Mayor Johnson stated that he received a letter from a gentleman who would like to intern with our police department. Mayor Johnson wants to make sure that we look into this for liability issues. Once the Chief gets the paperwork he will bring it back to Council to decide on this.

5. **BIDS & QUOTATIONS:**

**President Carey**

- **Vote Ordinance 2019–03 TAN – vote to accept bid from Fidelity Bank for an interest rate of 2.24%:** David Jenkins made the first motion to accept the bid (specs above), seconded by Vince Cruciani, vote was 6-0-1 with Bob Sheils abstaining. Ms. Kehoe stated that she did get verification that they would be willing to release us from this in January if we decide we don't need the TAN. Or, if we decide we want it but we want less than the \$300,000, they would be fine changing it with no charge for us. January 31<sup>st</sup> is the out date.

6. **BOROUGH TREASURER’S REPORT** **President Carey**  
David Jenkins made the first motion to approve the Borough Treasurer’s Report, seconded by Vince Cruciani, vote was 7-0.

7. **COMMITTEE REPORTS:**

- **Building & Plant** Pat Williams, Chair  
Pat Williams stated that the rain gutter was replaced at the DPW. The new blinds were put up in Council Chambers. The light pole was installed over the crosswalk by Winola and Old Trail Road.
- **Finance Committee** Bob Sheils, Chair -  
recommendation regarding the request from Waverly Twp. to support their K9 purchase. David Jenkins made the first motion to approve \$1,000 donation for the Waverly Police K-9, seconded by Bob Bennett, vote was 7-0.
- **Grant Committee** Dave Jenkins, Chair -  
Applying for A DCED H2O Flood Control Program: Project is for the stream restoration between Marion and Bedford. Grant request amount is \$336,375.00 and PA DCED PA Small Water and Sewer Program: Project is for the section of storm water infrastructure to be replaced from the Clarks Summit Elementary School to the intersection of Grandview St. Grant request amount is \$246,337.65 .
- **Recycling Committee** Bob Bennett, Chair  
Bob Bennett stated that he brought in all of the signage from the shred fest to the borough.
- **Insurance Committee** Vince Cruciani, Chair -  
Benecon rebate \$14,784.94 Mr. Cruciani stated that the net amount received was \$13,053.94
- **Personnel Committee** Frank Besten, Chair
- **Public Safety/Safety** Pat Williams, Chair
- **Recreation** Bob Sheils, Chair
- **Sewer Billing** Bob Sheils, Chair  
Jenn Basalyga stated that at the end of the month, delinquent sewer letters will be going out. A few houses were shut off last quarter. Scranton Downtown was discussed; they have several thousand due in liens. Riley’s water is still shut off.
- **ACOG Representative** Frank Besten/Gerrie Carey/  
Bob Sheils
- **Building plans committee** Gerrie Carey/Frank  
Besten/Pat Williams
- **LCAB** Patrick Williams

- **SAPA** Dave Jenkins – next meeting  
with Planning Commission 12/11
- **Sr. Center Committee** Gerrie Carey, Kevin Hayes  
Solicitor Hayes stated that he sent an email today to the 5 Solicitors from the 5 municipalities just to see where everyone stands. Our lease expires at the end of the year. Vince Cruciani asked if Telespond is still insured. Mr. Cruciani stated that if Telespond does not exist as an entity and they are not insured then the Senior Center must not be open by our lease terms. Mr. Cruciani stated that they must be insured, if Telespond has an insurance policy through December 31<sup>st</sup>, then that is fine. Vince Cruciani stated that if there is not a new agreement by December 31<sup>st</sup>, the doors of the Senior Center have to shut until there is a new agreement. Solicitor Hayes stated that if the Senior Center loses their contract with the Area Agency on Aging, our lease becomes null and void. Vince Cruciani stated that the doors at the Senior Center could close from the first of the year to January 7<sup>th</sup> after the first Council meeting of the year. January 6<sup>th</sup> is the first time that Council would be able to vote. Mr. Cruciani made a motion to send a full letter tomorrow to the YMCA Board informing them that we willing for one year to extend an offer to have a duplicate of Telespond’s contract. We would be willing to ratify, if they are the grantee. Under the same terms and conditions and we would be willing to do this January 6<sup>th</sup> or earlier if possible. Gerrie Carey could call a special meeting if necessary. The motion was seconded by David Jenkins. Solicitor Hayes suggested changing the lease to 6 months. Mr. Cruciani withdrew the motion and changed it to a 6 month term, seconded by David Jenkins, vote was 7-0.

8. **VENDOR PAYMENTS TO BE RATIFIED:** **President Carey**  
David Jenkins made the first motion to approve the vendor payments, seconded by Bob Bennett, vote was 7-0.

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

A. **PSAB Legislative Alert House Bills 1459 and 432:** David Jenkins made the first motion to approve a letter of support for the two bills, seconded by Vince Cruciani, vote was 7-0.

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

- A. **Ordinances 2019 – 4 through 2019-06 – Millages and sewer billing:**  
 Ordinance 2019-4 – Millage General Fund: David Jenkins made the first motion to accept Ordinance 2019-4, seconded by Vince Cruciani, vote was 7-0.  
 Ordinance 2019-5 – Sewer Billing to remain at \$52 a month: David Jenkins made the first motion to accept Ordinance 2019-5, seconded by Pat Williams, vote was 7-0.  
 Ordinance 2019-06 – Fire Fund millage 2.25%: David Jenkins made the first motion to accept Ordinance 2019-06, seconded by Bob Bennett, vote was 6-0-1 with David Jenkins abstaining.  
 Ordinance 2020-01 – Board of Appeals: David Jenkins suggested Tommy Rosencrance. Ms. Kehoe will call him. Bob Bennett volunteered to be on the board. Bob Sheils made the first motion to advertise this ordinance for a vote in January, seconded by Frank Besten, vote was 7-0. David Jenkins made the first

motion to approve Bob Bennett to serve on the Board of Appeals Committee, seconded by Pat Williams, vote was 7-0. So the committee has Joe Guzek, Artie Frank, and Bob Bennett. Vince Cruciani stated that we need an alternate. Ms. Kehoe will call Tommy Rosencrance.

- B. **Resolution 2019-22 – COLA for Lou Vitale:** David Jenkins made the first motion to table this, seconded by Bob Bennett, vote was 7-0. Vince Cruciani stated that he is voting to table this until other matters in the total picture of the budget and labor contracts are resolved. This is not a matter of procrastination.
- C. **Resolution 2019-23 – grant:** David Jenkins made the first motion to apply for the grants, seconded by Vince Cruciani, vote was 7-0
- D. **Resolution 2019-24 – grant:** David Jenkins made the first motion to apply for the grants, seconded by Vince Cruciani, vote was 7-0
- E. **Purchase of traffic controller:** David Jenkins made the first motion to purchase the traffic controller with the addition of the light emitter, seconded by Pat Williams. Vince Cruciani suggested amending the motion to make it no more than \$7,000. David Jenkins withdrew and made the motion for the \$7,000, the vote was 7-0.
- F. **Purchase of new repeater:** Already discussed.

Additional Comment: Vince Cruciani stated that when it comes to the bus stop being moved to the North side of Grove Street, where the PPL access road is; PPL has no right whatsoever to tell Abington Heights that they can't stop in a state right of way. Virginia Kehoe stated that she talked to Abington Heights School District and they called her back and she was told that PPL does not want people parking on their property. Vince Cruciani stated that is a public right of way on Grove Street. Ms. Kehoe stated that it was the school district's decision based on their conversation with PPL. Vince Cruciani said that they need another letter or an email; PPL does not have any say in what goes in a state right of way. The school bus would be pulling to the side. Ms. Kehoe stated that she thinks the school is more concerned about the parents that park there.

11. **SOLICITOR'S REPORT:**

**Solicitor Hayes**

Solicitor Hayes stated that we have an escrow agreement with Noto and the Sheridan Avenue field giving the closing until the end of this year. After that the agreement would be null and void. Attorney Jim Tressler is asking for an additional 30 days extension. He asked for authorization from Council to extend the escrow agreement for an additional 30 days. Vince Cruciani made the first motion to extend the agreement to the last Wednesday in January 29th, which is the work session, seconded by Bob Bennett. Vince Cruciani asked if Noto has filed a quiet title. Solicitor Hayes is not sure on the status. Vince Cruciani stated if quiet title is not completely filed or cured by 1/6/19 he will vote no on the vote to extend it until January 29<sup>th</sup>. Solicitor Hayes will send an email to them. The vote was 7-0. Solicitor Hayes stated that they're meeting with Penndot concerning Vosburg and Carol Drive tomorrow. Vince Cruciani asked Ms. Kehoe to inform Carol Drive residents of the results of the meeting, including the 2 properties on West Grove Street. Mr. Cruciani suggested sending Mr. Sheeran an email letting him know that the meeting had occurred and give him the details.

12. **CORRESPONDENCE:**

- n/a

13. **EXECUTIVE SESSIONS:**

**President Carey**

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

14. **ADJOURN:**

**President Carey**

Vince Cruciani made the first motion to cancel the December work session, seconded by David Jenkins, unless Gerrie Carey calls an emergency meeting, with the next meeting being for the reorganization meeting on January 6, 2020, vote was 7-0.

Solicitor Kevin Hayes stated that it has been a real pleasure for him working with Frank Besten and Bob Bennett. He said they were very helpful to him getting acclimated as his job being the Solicitor. Solicitor Hayes stated that he wishes more people know how much work they put into this Borough and he never realized it until he was here, stating that they have done a tremendous job. Council applauded.

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