

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
JULY 1, 2020**

The July 1, 2020 Borough's Special Meeting was conducted on Wednesday, July 1, 2020 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, Mrs. Kathleen Simrell, Mr. Vincent Cruciani, Mr. Robert Sheils, Mr. Joshua Mitchell, Mr. David Jenkins, Harry Kelly, Mayor Herman Johnson, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe.

PUBLIC HEARING: Resolution 2020-11 Liquor License Transfer requested by Roy Patrick Cole on behalf of Summit City Market LLC, at 200 North State Street.

David Jenkins made the first motion to approve Resolution 2020-11, seconded by Kathleen Simrell, vote was 7-0.

MEDITATION: **Mayor Johnson**

PLEDGE OF ALLEGIANCE: **Mayor Johnson**

RECOGNITION OF PETER NORTHUP **President Carey**

1. APPROVAL OF AGENDA:

Bob Sheils made the first motion to approve the agenda, seconded by Josh Mitchell, vote was 7-0.

2. APPROVAL OF MINUTES: **President Carey**

- **June 3, 2020 Council Regular Meeting:** Bob Sheils made the first motion to approve the minutes, seconded by David Jenkins. Vote was 7-0.

3. PUBLIC COMMENT & INPUT: **President Carey**

4. POLICE REPORT: **Mayor Johnson**

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

- **2020 Manhole project 1:** David Jenkins made the first motion to reject all bids, seconded by Harry Kelly. Vince Cruciani stated that this bid is now compromised because this bid amount has been exposed. He asked what mechanism the borough has in place to award a good faith bid that is within a certain margin or percentage of a second round of bids. Solicitor Hayes stated that there is nothing the borough can do in this situation. Vince Cruciani stated that the motion is too vague. Ms. Kehoe stated that the bids would be

opened at the worksession in July. David Jenkins and Harry Kelly agree with this timeframe.

- **2020 Manhole project 2**

6. BOROUGH TREASURER'S REPORT

President Carey

Kathleen Simrell made the first motion to approve the Treasurer's Report, seconded by Josh Mitchell, vote was 7-0.

7. SEWER REPORT

Jenn Basalyga

Bob Sheils made the first motion to approve the sewer report, seconded by David Jenkins, vote was 7-0. Council decided to hold off on the late fees through September and not to send delinquent letters until after September. Solicitor Hayes suggested waiting until the October Council meeting to decide if council wants to extend this even longer.

8. VENDOR PAYMENTS TO BE RATIFIED:

President Carey

Kathleen Simrell made the first motion to accept the vendor payments, seconded by David Jenkins, vote was 7-0.

9. OLD BUSINESS:

President Carey

- **Ordinance 2020-03 Floodplain Ordinance:** Bob Sheils made the first motion to accept Ordinance 2020-03, seconded by Josh Mitchell, vote was 7-0.

10. NEW BUSINESS:

President Carey

- **Resolution 2020-10 CDBG:** David Jenkins made the first motion to accept Resolution 2020-10, seconded by Bob Sheils, vote was 7-0.
- **Resolution 2020-11 City Mart liquor license transfer:** Done earlier in meeting.
- **President Pro-Tem:** Kathleen Simrell nominated Bob Sheils as President Pro Tem, seconded by Harry Kelly, vote is 7-0.
- **Planning Commission – Carol Rubel:** David Jenkins made the first motion to approve of Carol Rubel, seconded by Bob Sheils, vote was 7-0.
- **Selection of alternate to take voting seat on Civil Service Commission – George Yarns or Bob Bennett:** Vince Cruciani recommended to accept Bob Bennett for the CSC, seconded by David Jenkins, vote was 7-0.

11. SOLICITOR'S REPORT:

Solicitor Hayes

- **Sick time:** Vince Cruciani made the first motion to grant back the 10 full business days and for the full calendar year of 2020 waive any paid time off being mandatory to use for the invocation of FMLA, seconded by David Jenkins. Vote was 7-0.

Solicitor Hayes stated that in 2019 the Borough approved the bid that was submitted by Abington Development Corporation for \$190,100. One of the issues is the 10x10 area of land that was supposed to be kept as a memorial park for Dave Parker at the building site on Sheridan Avenue. Since then a memorial for Dave Parker was put up

at Veteran's Park. Vince Cruciani made the first motion to forgive the developer we relinquish the developer 10x10 memorial if Mr. Noto closes on the property on or prior to July 31, 2020, seconded by David Jenkins, vote was 7-0. Solicitor Hayes recommended a new Resolution at the July Worksession. They would need to advertise and recess this meeting until the July Worksession.

12. CORRESPONDENCE:

- **Heather Lulanchuck:** Previous owner had a handicapped parking space put in front of the building. It is now being used as a private home and can the sign be removed. It cannot be removed without another ordinance, which is a costly process. They will discuss further after Ms. Kehoe talks to Ms. Lulanchuck.
- **Ron Thomas:** He would like to serve as a Junior Council member. Bob Sheils made the first motion to have Ron Thomas as a Junior Council Member, seconded by David Jenkins, vote was 7-0.

EXECUTIVE SESSIONS:

President Carey

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| • Prior- | June 3, 2020 | personnel |
| • During- | N/A | |
| • Subsequent- | N/A | |

ADJOURN:

President Carey

David Jenkins made the first motion to recess, seconded by Bob Sheils, vote was 7-0.