

**BOROUGH OF CLARKS SUMMIT  
BOROUGH COUNCIL MEETING  
DECEMBER 2, 2020**

The December Borough's Regular Meeting was conducted on Wednesday, December 2, 2020 at 7:00 P.M. The meeting was held via Zoom, in the County of Lackawanna and Commonwealth of Pennsylvania. Council members in attendance via zoom were Ms. Gerrie Carey, Mrs. Kathleen Simrell, Mr. Robert Sheils, Mr. Joshua Mitchell, Mr. David Jenkins, Mr. Harry Kelly, Ms. Roni Lopez, Mayor Herman Johnson, Solicitor Kevin Hayes, Borough Manager Virginia Kehoe, Chief Christopher Yarns, and Junior Council Member Ron Thomas.

Tim Rowland: Government Relations Manager for Commonwealth Health EMS. They have been providing paramedic services in the borough since 1996. They also supply the Clarks Summit Fire Department with daytime EMT employees. They are in the process of entering an agreement with the Clarks Summit Fire Department to locate an ambulance at the fire house on Bedford Street. They would be covering calls for Clarks Summit when the fire company is not able to respond. Commonwealth is requesting the Clarks Summit Borough to designate them as their advanced life support provider. They are asking the same from South Abington. David Jenkins made the first motion to designate Commonwealth Health Emergency Services as our ALS provider in the Borough of Clarks Summit. Solicitor Kevin Hayes stated that this would require a formal Resolution. David Jenkins withdrew his motion.

**PUBLIC HEARING –            Ordinance 2020-04 – Zoning  
   Ordinance 2020-05 – Noise  
   Ordinances 2020-07-10 2021 Taxes & TAN            President Carey**

**VOTE –            Ordinance 2020-04 Zoning:** David Jenkins made the first motion to approve Ordinance 2020-041, seconded by Roni Lopez, the vote was 7-0.

**Resolution 2020-20 SAPA Agreement:** David Jenkins made the first motion to approve Resolution 2020-20, seconded by Harry Kelly, vote was 7-0.

**President Carey**

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

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

**1.            APPROVAL OF AGENDA:**

Roni Lopez made the first motion to approve the agenda, seconded by Kathleen Simrell, vote was 7-0.

**2.            APPROVAL OF MINUTES:**

**President Carey**

- **November 4, 2020 Council Regular Meeting**
- **November 25, 2020 Council Work Session**

Harry Kelly made the first motion to approve the minutes, seconded by Roni Lopez, vote was 7-0.

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

**4. POLICE REPORT: Mayor Johnson**

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

- **Award TAN to Landmark Bank for the amount of 0.97%:** David Jenkins made the first motion to award the TAN to Landmark Bank, seconded by Roni Lopez, vote was 7-0.
- **Award Grove Street Storm Sewer Repair Project to Fehlinger Construction for the amount of \$191,885.00:** David Jenkins made the first motion to Fehlinger, seconded by Harry Kelly, with the Solicitor's approval, vote was 7-0. Solicitor Hayes stated there was some ugly litigation with Fehlinger construction in Pittston. Solicitor Hayes wanted to see the contract.

**6. BOROUGH TREASURER'S REPORT:**

**October and November President Carey**  
Roni Lopez made the first motion, seconded by Kathleen Simrell, vote was 7-0.

**Sewer Report:** Kathleen Simrell asked Jenn Basalyga if she sees any difference with the CORONA virus and people not paying. Ms. Basalyga stated that it is almost the opposite. At this point 39 people haven't responded to the letters and posting. Our shutoffs and liens are lower at this time. Josh Mitchell made the first motion to approve the sewer report, seconded by Roni Lopez, vote was 7-0.

**7. VENDOR PAYMENTS TO BE RATIFIED:**

**October and November President Carey**  
Roni Lopez made the first motion to pay the bills, seconded by Harry Kelly, vote was 7-0.

**8. OLD BUSINESS: President Carey**

**Noise Ordinance – tabled**  
**Fireworks Ordinance - tabled**

**9. NEW BUSINESS: President Carey**

**Resolution 2020-21 TCC Confidentiality:** David Jenkins made the first motion to approve Resolution 2020-21, seconded by Roni Lopez, vote was 7-0.

**Ordinance 2020-07 Millage:** David Jenkins made the first motion to approve Ordinance 2020-07, seconded by Josh Mitchell, vote was 7-0.

**Ordinance 2020-08 Sewer:** Roni Lopez made the first motion to approve Ordinance 2020-08, seconded by Josh Mitchell, vote was 7-0.

**Ordinance 2020-09 Fire Fund:** David Jenkins made the first motion to approve Ordinance 2020-09, seconded by Kathleen Simrell, vote was 7-0.

**Ordinance 2020-10 TAN:** David Jenkins made the first motion to approve Ordinance 2020-10, seconded by Kathleen Simrell, vote was 7-0.

**Ratify civil service list:** David Jenkins made the first motion to approve the ratification of the civil service list, seconded by Roni Lopez, vote was 7-0.

**Health care coverage change for ABA and Autism Services:** Josh Mitchell asked if this would increase the Borough's cost. The answer was no. David Jenkins made the first motion on the advice of the Solicitor to extend the health care for ABA and Autism Services with PA Act 62, seconded by Roni Lopez, vote was 6-1 with Bob Sheils voting nay. Solicitor Hayes recommended this coverage. Bob Sheils wanted more information before voting on this.

**Resolution 2020-22 Police Pension Withholding:** Roni Lopez made the first motion to approve Resolution 2020-22 with a rate of 5.5%, seconded by David Jenkins. State law is 5%. The vote was 7-0.

David Jenkins made the first motion to put the \$55,111 from the insurance rebate in the Capital Reserve Account, seconded by Roni Lopez, vote was 7-0.

**10. SOLICITOR'S REPORT:**

**Solicitor Hayes**

Solicitor Hayes is working on the noise ordinance, worked with Jenn on a Code Enforcement issue. He also worked on the correspondence with Jaghab. He will be working with Virginia to get the TAN closing documents.

**11. CORRESPONDENCE:**

**EXECUTIVE SESSIONS:**

**President Carey**

- **Prior-** N/A
- **During-** N/A
- **Subsequent-** N/A

**Reminder – December work session cancelled:** David Jenkins made the first motion to continue virtually for 6 months due to the virus, seconded by John Mitchell, vote was 6-1 with Bob Sheils voting nay

**ADJOURN:**

**President Carey**

Roni Lopez made the first motion to adjourn, seconded by Josh Mitchell, vote was unanimous