## BOROUGH OF CLARKS SUMMIT BOROUGH COUNCIL MEETING JANUARY 2, 2024

Mayor Harry Kelly opened the January 2, 2024 meeting which was conducted on Tuesday, January 2, 2024 at 7pm. 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. Frank Besten, Ms. Roni Lopez, Ms. Kathleen Simrell, Mr. Joshua Mitchell, Mr. Frank Guza, Mayor Harry Kelly, Chief Chris Yarns, Solicitor O'Brien, and Borough Manager Ms. Virginia Kehoe. Mr. Robert Sheils joined the meeting about 7:30pm.

Mayor Harry Kelly announced the oaths of office will take place. Magistrate Keeler proceeded with swearing in all three councilmembers below.

MAGISTRATE KEELER Steve Guza

Frank Besten Kathleen Simrell

MEDITATION: Mayor Kelly

PLEDGE OF ALLEGIANCE: Mayor Kelly

NOMINATION AND ELECTION OF COUNCIL PRESIDENT: Mayor Kelly Frank Besten made the first motion to nominate Gerrie Carey as Council President for the Borough of Clarks Summit, seconded by Roni Lopez, vote was 6-0.

NOMINATION AND ELECTION OF VICE PRESIDENT: Mayor Kelly Gerrie Carey made the first motion to nominate Josh Mitchell as Council Vice-President, seconded by Steve Guza, vote was 5-0-1 with Josh Mitchell abstaining.

NOMINATION AND ELECTION OF PRESIDENT PRO TEM: President of Council Josh Mitchell made the first motion to nominate Robert Sheils as the President Pro-Tem, seconded by Frank Besten, vote was 6-0.

APPOINTMENT OF VACANCY BOARD CHAIR: President of Council Tabled

**APPOINTMENT OF GENERAL SOLICITOR – Andrew Krowiak/William Rinaldi**Josh Mitchell made the first motion to appoint Andrew Krowiak, seconded by Kathleen Simrell, vote is 6-0. Josh Mitchell appreciated the references received from Mr. Krowiak.

# APPOINTMENT OF ONE 1 SEAT ON ABINGTON AREA JOINT RECREATION BOARD – Josh Mitchell reappointment

Steve Guza made the first motion to appoint Josh Mitchell to the AAJRB Board, seconded by Roni Lopez, vote was 5-0-1 with Josh Mitchell abstaining.

## APPOINTMENT OF TWO 2 SEATS ON PLANNING COMMISSION – John Durdan and John Kazista, both reappointments

Frank Besten made the first motion to appoint John Durdan and John Kazista to the Planning Commission, seconded by Roni Lope, vote was 6-0.

## **APPOINTMENT OF TWO 2 SEATS ON ZONING HEARING BOARD – Bruce Arrowood and Sarah Dawgert (alternate), both reappointments**

Kathleen Simrell made the first motion to appoint Bruce Arrowood and Sarah Dawgert to the ZHB, seconded by Steve Guza, vote was 6-0.

# APPOINTMENT OF ONE 1 SEAT ON THE ABINGTON REGIONAL WASTEWATER AUTHORITY – Frank Besten reappointment

Roni Lopez made the first motion to reappoint Frank Besten, seconded by Kathleen Simrell, vote was 6-0.

# **APPOINTMENT OF TWO 2 SEATS ON THE SHADE TREE COMMISSION - Mark Taffera reappointment, Erin Philbin Torquata new member**

Steve Guza made the first motion to appoint Mark Taffera and Erin Philbin Torquata to the Shade Tree Committee, seconded by Roni Lopez, vote was 6-0.

## **APPOINTMENT OF ONE SEAT ON THE IPMC APPEAL BOARD – Bob Bennett reappointment**

Frank Besten made the first motion to appoint Bob Bennett to the IMPC Appeal Board, seconded by Roni Lopez, vote was 6-0.

# APPOINTMENT OF TWO 2 SEATS ON LACKAWANNA TCC – ??? and Virginia Kehoe reappointment

Kathleen Simrell made the first motion to appoint Virginia Kehoe to the Lackawanna TCC Board, seconded by Roni Lopez, vote was 6-0. The second was tabled due to no other applicant.

## **APPOINTMENT OF EMA DIRECTOR – Art Frank reappointment**

Roni Lopez made the first motion to appoint Art Frank as the EMA Director, seconded by Frank Besten, vote was 6-0.

**LIAISON**: ABINGTON C.O.G. Gerrie/Bob

LACKAWANNA C.O.G. Gerrie

ABPA (AB. BUS. & PROF. ASSOC.) Gerrie

#### APPOINTMENT OF MANAGER/SECRETARY – Virginia Kehoe

Josh Mitchell made the first motion to appoint Virginia Kehoe as the Manager/Secretary, seconded by Roni Lope, vote was 6-0.

#### APPOINTMENT OF ASSISTANT SECRETARY / SEWER BILLING – Jenn Basalyga

Roni Lopez made the first motion to appoint Jenn Basalyga as Secretary/Sewer Billing, seconded by Kathleen Simrell, vote was 6-0.

#### APPOINTMENT OF TREASURER -Sarah Lodwick

Josh Mitchell made the first motion to appoint Sarah Lodwick as the Treasurer, seconded by Frank Besten, vote was 6-0.

APPOINTMENT OF CODE ENFORCEMENT/ZONING OFFICER – Jenn Basalyga Roni Lopez made the first motion to appoint Jenn Basalyga as the Code Officer and Zoning Officer, seconded by Kathleen Simrell, vote was 6-0.

#### **APPOINTMENT OF POLICE CHIEF – Chris Yarns**

Steve Guza made the first motion to appoint Chris Yarns as the Police Chief, seconded by Kathleen Simrell, vote was 6-0.

# **APPOINTMENT OF SEWERAGE ENFORCEMENT OFFICER - Gary Wilding**Josh Mitchell made the first motion to appoint Gary Wilding as the Sewerage Enforcement Officer, seconded by Roni Lopez, vote was 6-0.

#### APPOINTMENT OF LABOR SOLICITOR - Joe O'Brien

Josh Mitchell made the first motion to appoint Joe O'Brien as the Labor Solicitor, seconded by Kathleen Simrell, vote was 6-0.

# **APPOINTMENT OF ZONING HEARING BOARD SOLICITOR – Bob Sheils, Jr.** Steve Guza made the first motion to appoint Bob Sheils, Jr. as the ZHB Solicitor, seconded by Roni Lopez, vote was 6-0.

# **APPOINTMENT OF PLANNING COMMISSION SOLICITOR – Michael Cowley**Frank Besten made the first motion to appoint Michael Cowley as the PC Solicitor, seconded by Josh Mitchell, vote was 6-0.

#### APPOINTMENT OF BOROUGH AUDITOR – Dougherty Murphy

Kathleen Simrell made the first motion to appoint Dougherty Murphy as the Borough Auditor, seconded by Roni Lopez, vote was 6-0.

### APPOINTMENT OF BOROUGH ENGINEER - Colwell Naegele

Roni Lopez made the first motion to appoint Colwell Naegele as the Borough Engineer, seconded by Frank Besten, vote was 6-0.

# 1. APPROVAL OF AGENDA: President of Council Josh Mitchell made the first motion to approve the agenda, seconded by Roni Lopez, vote was 6-0.

### 2. APPROVAL OF MINUTES:

**President of Council** 

August 5, 2023 Regular Council Meeting
August 30, 2023 Work Session
Steve Guza made the first motion to approve the minutes, seconded by Roni Lopez, vote was 6-0.

#### 3. PUBLIC COMMENT & INPUT:

**President of Council** 

#### 4. POLICE REPORT:

### **Mayor Kelly**

- Hire 2 part timers: Ryan Williams, Michael Fiocca: Josh Mitchell stated that he was nervous that they would hire a part time officer without their name being mentioned in a public meeting. Josh Mitchell asked if the policy would be to initiate the hiring process to be ratified by council. The answer was yes. Frank Besten stated that the two people are excellent candidates. Josh Mitchell made the first motion to institute a policy upon the recommendation of the Personnel Committee, council can initiate the process for part time police officers pending their hire upon approval, seconded by Roni Lopez, vote was 7-0. Frank Besten made the first motion to hire Ryan Williams and Michael Fiocca, seconded by Roni Lopez, vote was 7-0.
- **Purchase of police vehicle:** Chief Yarns mentioned a leasing option through Enterprise. They will explore options. We are waiting on any pending grants.
- Ransom Twp Police Services: This will be discussed in an executive session.
- Newton Twp Police Services: Newton Twp. is announcing at their meeting that. they are working with us on coverage. No action to take. Josh Mitchell stated that we need to consider our own comfort level with giving a proposal. Also the police car factors into that fairly significantly. Over the next couple of weeks this can be discussed.

Frank Besten commented on the local fire department and their response to his house as his wife fell. He said they were thorough, courteous and it's a compliment to the borough to have these people who are so dedicated. The EMT and Fire Department are the best.

Virginia Kehoe stated to the public that the Fire Department are made up of volunteers. If we did not have them, we would have to pay for a fire department and that would be extremely costly to the residents.

### 5. BIDS & QUOTATIONS:

**President of Council** 

N/A

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

November 2023

December 2023

**President of Council** 

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

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

December 2023 President of Council

Roni Lopez made the first motion to pay the bills, seconded by Frank Besten, vote was 7-0.

#### 8. OLD BUSINESS:

**President of Council** 

**Sewer Report – December:** Delinquent letters went out and we have been receiving calls to pay.

**Trash Report – December:** Ms. Kehoe stated that the borough bills 2051 accounts for trash billing. We billed \$101,000 for the first quarter. We received payment for 1245 of those which amounted to \$63,377. Also, there are at least 300 ACH's that will be posted. It's just not recorded yet therefore the total number is not available yet.

**Civil Service Exam update:** Ms. Kehoe stated that everything but the physical, agility and psychological is done and they are working on those now. It looks like a candidate list of 3.

#### 9. **NEW BUSINESS:**

**President of Council** 

- New Solicitor: Already addressed.
- **Resolution 2024-01 Meter Suspension:** Bob Sheils made the first motion to approve Resolution 2024-01 for the Ice Festival meter suspension, seconded by Steve Guza, vote was 7-0

#### 10. CORRESPONDENCE:

• Carol Rubel: Traffic on Knapp Road at the elementary school. Parking is allowed on the side of the road, therefore ticketing is not an option. Josh Mitchell said there is nothing that they can ask the police to do then. Josh Mitchell stated that we could only have no parking on that road, that would be the only option. Gerrie Carey and Roni Lopez suggested a letter to the school with suggestions. Ms. Kehoe stated that she has already sent correspondence to the superintendent. This should be up to the school.

#### **EXECUTIVE SESSIONS:**

**President of Council** 

• Prior- December 27, 2023 Personnel – contracts

During-Subsequent-N/A

Executive session immediately following the meeting.

ADJOURN: President of Council

Roni Lopez made the motion to adjourn.