

**BOROUGH COUNCIL SPECIAL
MEETING JULY 31, 2024
7:00 PM**

The July 2024 Borough Meeting was on Wednesday, July 31, 2024, 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, Ms. Roni Lopez, Mr. Joshua Mitchell, Mr. Frank Besten, Ms. Kathleen Simrell (7:10), Borough Manager Virginia Kehoe, Solicitor Andrew Krowiak, Mayor Harry Kelly (7:30), Junior Council people Mr. McVety and Ms. Siddiqui. Mr. Steve Guza and Mr. Bob Sheils were absent.

- 1. PROCLAMATION:** **Eric Williams:** Was Absent **President Carey**
Doug Craig: Gerrie Carey read his proclamation.

2. PUBLIC HEARING: Curative Amendment 2024-03 – Maple Ave:

Attorney Pat Lavelle attended the meeting. He reviewed the application. On behalf of Erwin Kost, Jr., who wants to buy 110 Maple Avenue in Clarks Summit. It is currently zoned as single family residential. The property was formerly C-1, but changed in 2020. They point out that the property is adjacent to the car wash. The zoning is spot zoning because it was changed from commercial to single family residential. They would like to buy the property and make it into a parking lot with 11 spaces and a setback and a 5-foot buffer zone where arborvitae plants will be maintained. There will also be a 50x10 green space along the rear line. There will also be a front yard buffer with greenery to further enhance the curb appeal. This parking area is for Kost employees, and patron overflow if necessary. There will be no truck parking in this lot. There would be no substantial change to the neighborhood. This area would be zoned Suburban Center. Council would need to adopt this into the zoning ordinance for the change to Suburban Center. Attorney Lavelle requested rezoning. The current owners have entered into an agreement of sale to ETK who intends to make this into off street parking for employees which is a permitted use under the Suburban Center district. Ms. Kehoe asked how long that property has been vacant. They did not know specifically. Mrs. Struchko vacated the property in 2015. It was a rental in the past. The damage to the house has been substantial. Ray Bartolet spoke on behalf of Kost. The property has been vacant over a year. The water lines froze, ice was leaking down the side of the property. The house is in disarray. They toured the house, and it needs to be totally redone. They would like to take that house as an eyesore and remove it. They would take away the problem of an unsightly building. The property is unsafe. No one from the public was there to make a comment. Frank Besten stated that to get rid of this eyesore would be good for the borough. Would this affect the tax base. It would reduce the taxes by a couple hundred dollars. Mr. Bartolet stated that Kost tire truck traffic will not be an issue because they are building a warehouse within the next two years. Frank Besten made the first motion to approve the Curative Amendment for Maple Avenue, seconded by Roni Lopez, vote was 5-0.

Ray Bartolet talked about how great the DPW and Virginia Kehoe are as the flooding issues are difficult at Kost Tire.

3. WORKSESSION: President Carey

4. PUBLIC COMMENT: President Carey

5. DISCUSSION: President Carey

- Office Staffing: Ms. Kehoe recommended the members of the secondary Personnel Committee meet to talk about staffing as her retirement is coming up. Roni Lopez stated that Gerrie Carey comprised the committee which is her (Roni), Gerrie Carey and Kathleen Simrell. They met numerous times and they did conduct interviews with Jenn Basalyga and Nicole Kelly. It is the Personnel Committee's recommendation to promote Jenn Basalyga to Borough Office Manager and Nicole Kelly to Assistant Secretary. Ms. Lopez stated that Jenn Basalyga has been employed by the borough for 12 years. Jenn was able to become integrated into the office of Borough Manager during Virginia Kehoe's medical leave which gave her a great deal of experience which yielded her into that position. Jenn and Nicole already have an established repour with Council, the DPW and police, and other administrative support staff. Jenn and Nicole have both reviewed and approved the salaries with their respective contracts. It is their recommendation that their new positions start the first of the year in 2025. Ms. Lopez stated that promoting internally does boost morale and does give motivation to other employees, inspiring future employees to apply for positions. Also the borough will be saving on both Jenn's and Nicole's salaries. Ms. Kehoe stated that right now Jenn does the sewer billing, assistant secretary and code enforcement. Ms. Kehoe has suggested to the personnel committee that we contract out code enforcement. That does not need to be full time. If Nicole came up she would have the trash billing along with the sewer billing and assistant secretary jobs. She would have the same amount of work. By having Nicole change positions, this would allow the police secretary to go back to a part time position. This would eliminate a full time position which would be cost justified. Kathleen Simrell stated that the pay rate for the new part time police secretary would be less than what Nicole is earning at this time with no benefits. Josh Mitchell stated that this seems completely new to him. He asked what the proposed action is on this proposal, will they be voting next week? Roni Lopez stated that the proposed action is to be voted on next week, to adopt both contracts. Ms. Kehoe stated that the purpose being that so if we move Nicole up, we would need to find her replacement and she would need to train the new person. Then, she could come up and start training with Jenn. Then Jenn would be able to start training with Virginia. Ms. Kehoe stated that she believes there are a lot of experiences that she feels we need to offer Jenn or whoever would be the manager. Mr. Mitchell stated that he thinks Jenn is a fantastic candidate but he thinks we owe it to themselves and the residents to properly post for this position and receive other applicants. Then if

Jenn is the best applicant than of course we would move forward with her. But it doesn't seem like there would be an opportunity to do this if the vote is next week. That gives him concern. He thinks it is hasty. Mr. Mitchell stated that we have a messy alignment with personal responsibilities with the office staff where we have people wearing multiple hats. Mr. Mitchell stated that with Virginia's position which is the borough manager and DPW Foreman. That can lead to confusion when it comes to discussions about staffing and budgeting. He thinks this represents an opportunity for council to look and see if these positions should be realigned. Josh Mitchell stated that he will not be at the next meeting, also there are 2 other members of council that were not present at this meeting, and they may not have had any opportunity to review this information. He believes it is hasty. Ms. Kehoe stated that she doesn't disagree with Mr. Mitchell, but we have all the commitments and obligations of a large corporation, but we have a small town with a limited tax base. Ms. Kehoe stated that from day one she has worn a million hats; her assistant has also. We have always been able to jump in and help out wherever. So, wearing different hats will continue. Kathleen Simrell stated that she looks at it like they are taking on those responsibilities and she appreciates not having to reach out to so many people; they are stepping up to the plate. Frank Besten said that Jenn and Nicole are loyal and dedicated employees. Mr. Besten said that people come and go with jobs, and we cannot let this happen. Roni Lopez stated that Bob Sheils and Steve Guza will be emailed with this information so they are prepared for next week. If they have any questions prior to the vote next week, they will be glad to answer. Josh Mitchell stated that they can vote to advertise next week also. Ms. Kehoe stated that she handles customer service with the residents, then she enters payroll, she handles HR issues, then go to a stormwater meeting, then working with the DPW with issues. She stated that there is so much knowledge that you have to have about this borough. Jenn has been here 12 years and Nicole has been here 10. They have it, they have been here long enough and to bring someone else in, they would have a lot more to learn. We also have a team that works well together. Solicitor Krowiak stated that council can first vote to advertise. Then council can vote on the contracts. Ms. Kehoe stated that there is no obligation to advertise positions. If council advertises for the jobs, a vote might be made the September meeting. Ms. Kehoe's concern is also with the personnel committee. A second committee was formed because the first committee doesn't have time to meet. The committee is negotiating contracts with the police and the DPW. Ms. Kehoe stated she went to Gerrie Carey about this and that is how this began. Ms. Kehoe stated that there has been the presumption to Jenn that she was getting promoted all along. She has been taking classes in preparation for the position under the assumption. Kathleen Simrell stated that she felt that the comments made during council meetings have always alluded to the fact that she was taking the seat. Roni Lopez agreed.

- Tire Recycling Event: Ms. Kehoe stated that the recycling event will be held at the DPW on September 14, 2024. This is run through

Lackawanna County. Virginia and Kathleen will be helping with this. Junior Council People Mr. McVety and Ms. Siddiqui will also attend

- 2024 CDBG monies: Ms. Kehoe stated that the county suggested that the borough put in a sensory and ADA accessible playground in town. Council would have to make the decision and decide which park. CDBG money can only be used for the elderly, low income or disabled. Josh Mitchell stated that at this point the AAJRB is a little short on the right people to advance the project at the Senior Center. It is just Mark Spatz now. Josh Mitchell stated that Hillside park would be a great place to have this kind of playground. There will not be money for this year expiring.
- Pat Caden – request to change EDUs from 6 to 5: Ms. Kehoe stated that Pat Caden owns the apartments and store front on Depot Street next to the Sunrise. Jenn Basalyga did the inspection and there is only one business in the downstairs area, not two. She recommends that council honors that request. Kathleen Simrell asked who owns the former Don's Market. Ms. Kehoe stated that the Axtell's own it. They are converting it to apartments.
- IT concerns: Ms. Kehoe stated that 2 weeks ago, we worked all day Monday, on Tuesday we could not get access to our network. We spoke with Site 2 people, and we went the whole day without it. She received an email on Tuesday evening stating that the system should be up and working on Wednesday. We were not. They gave us a disaster recovery version to work on, but Monday's data was lost because they did not back up the system. Virginia Kehoe stated that she sent an email to Mark Stella saying that we were not informed about this situation in a timely way and we lost a great deal of work that was done in the system. We did not find out until Friday that we would have to choose which day we will be losing the info. They had a tech person there, he was not communicating properly. We lost 4 days of work, nobody reached out to us. We were told there was double backups. Ms. Kehoe surveyed Clarks Green, Glenburn, South Abington and Waverly asking what book keeping system they use and what IT system they used. They all use QuickBooks and they use MBC. She called MBC and has a quote. Site 2 costs \$1,600 a month.. MBC's cost would be \$6,200 purchase of a server then monthly fees would be worst case scenario over \$900. Mr. Mitchell asked how this would affect the police. Ms. Kehoe stated that they would be minimally impacted. They were not impacted by the issue we had. Josh Mitchell asked about the terms of the contract. He suggested Site 2 come to the next meeting. Mr. Mitchell asked Solicitor Krowiak if council needs to know anything about private email vs. our .gov email? Solicitor Krowiak stated that there is nothing preventing them from using a private email. If there was ever litigation or a lawsuit the personal email would be discoverable.
- Police Staffing: The chief has lost another part time officer and would like to replace him. He would like the personnel committee to meet with a candidate.

Gerrie asked about the Grove Street bridge. We believe they are working under the bridge first.

Ms. Kehoe stated that she and Gerrie attended the Lackawanna County Regional Stormwater Authority meeting. This involves working with 7 other communities and coming up with a regional authority that would handle stormwater that would be able to take advantage of economies of scale and the regionalization influence when applying for grants. Also to do bigger projects. At this point we are affected by South Abington's growth, but we have no control over that, but South Abington would also be a member of this program. They project that there will be a literal savings to our residents by doing this. If there is a rain tax, we are obligated by the state to do certain things. We have to budget to do that work.

6. REVIEW AUGUST 7, 2024 AGENDA

7. ADJOURN:

President Carey