

**BOROUGH COUNCIL SPECIAL
MEETING NOVEMBER 29, 2023
7:00 PM**

The November 2023 Borough's Special Meeting was conducted on Wednesday, November 29, 2023, 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. David Jenkins, Mr. Robert Sheils, Mr. Joshua Mitchell, Mr. Frank Besten, Kathleen Simrell, Mayor Harry Kelly, Solicitor Joe O'Brien and Virginia Kehoe

- | | | |
|-----------|------------------------|------------------------|
| 1. | WORKSESSION: | President Carey |
| 2. | PUBLIC COMMENT: | President Carey |
| 3. | DISCUSSION: | President Carey |

- Ordinance 2023-01 Lansdowne Turn Ordinance: Sue Savitski attended the meeting to answer any questions about the traffic study. A resident who lives at 905 Poplar Street stated that he has taken a left hand turn there thousands of times. Generally, in the morning or late at night. He stated there are certain times of the day where this isn't an issue. Having a no left turn would be an inconvenience. Joe O'Brien discussed a statute where there are circumstances where the courts are more open to creating liability on behalf of municipalities in these kinds of cases. With the traffic study someone could argue that the borough had notice of the dangerous conditions that might result in making a left turn off Lansdowne onto State. There is a potential liability for the borough. The borough is covered by liability insurance. Gerrie Carey wanted to have a meeting with the solicitor and the state. Reevaluate the situation. Roni Lopez asked about the borough's liability as the borough is waiting to act on this. Bob Sheils stated that PennDOT did not come to the borough and say there was a problem with the intersection. The borough went to PennDOT with this. Frank Besten stated this started with a letter from a resident concerned about the intersection. PennDOT said the no left turn has to be 24/7. Josh Mitchell stated that the situation is that it has been established that there is a known dangerous condition there that the borough has to do something about. We cannot do what we would like to do which is limit which is to set times when a no left turn is permitted. They cannot make the decision based on the convenience of residents, they have to make it on safety and liability. Mr. Mitchell stated that the study showed that the volume of cars that would need to be diverted is not as high as he expected. Bob Sheils stated that he doesn't believe that this intersection is overly dangerous. David Jenkins stated that he would like to move this on to the meeting agenda. Gerrie Carey still wanted to meet with the state. David Jenkins suggested following the recommendations of PennDOT. Josh

Mitchell would like the information as to the traffic situation at the top of Lansdowne, onto Abington Road.

- Greg Kozar – AAJRB: He the AAJRB representative for the Clarks Summit Borough. They will be asking for a 5% increase in the budget for the Hillside Park. For 2025 on they will be asking for a 7%-10% increase. David Jenkins asked if there is an increase for the people that use the facilities. Josh Mitchell stated that they will raise the rental fees by 50% in 2024.
- Ordinance 2023-02 Trash Ordinance: Virginia Kehoe stated that this has been advertised and is scheduled for a public hearing at 7pm next Wednesday at the Borough Council meeting.
- Ordinance 2023-04 Quality of Life Ordinance: Virginia Kehoe stated that this has been advertised and is scheduled for a public hearing at 7pm next Wednesday at the Borough Council meeting.
- Civil Service Exam: Virginia Kehoe stated that the deadline for signing up for the written test is Friday. The test will be December 16th, there are 3 applicants. Two of the people are current part timers with our police department.
- \$17,169.08 W/C rebate: David Jenkins stated that he would like this on the agenda for the next meeting. This was tabled at the last meeting. The discussion was to keep it in the general fund or the capital reserve account.
- 2024 budgets
- Ordinance 2023-05 Millage: Virginia Kehoe stated that this has been advertised and is scheduled for a public hearing at 7pm next Wednesday at the Borough Council meeting.
- Ordinance 2023-06 Sewer: Virginia Kehoe stated that this has been advertised and is scheduled for a public hearing at 7pm next Wednesday at the Borough Council meeting.
- Ordinance 2023-07 Fire: Virginia Kehoe stated that this has been advertised and are scheduled for a public hearing at 7pm next Wednesday at the Borough Council meeting.
- Employee Contract - Virginia Kehoe: Will be voted on at the Council meeting.
- Employee Contract - Jenn Basalyga: Will be voted on at the Council meeting.
- Resolution 2023-09 Police Pension Withholding: This will be voted on at the Council meeting.

Newton Ransom had a meeting the same evening and the police contract is on the agenda. Bob Sheils stated that they had conversations and they Newton Ransom was receptive. Josh Mitchell stated that they will not have a contract to vote on next week. The next vote would be to authorize our solicitor to draft a contract based on the terms they have negotiated. Mr. Mitchell stated that the terms they presented to Ransom Township to either accept or not, the Clarks Summit will bill them at the borough's cost plus a 15% margin. We would be fully covering our cost; it is not costing our taxpayers a dime. We would also have an administrative fee that returns to us approximately \$20,000 a year to make it worth our while. We

will be billing them milage to cover the vehicle utilization. There would be certain contingencies that are written in the contract.

4. REVIEW OF DECEMBER 6, 2023 AGENDA

5. ADJOURN:
Roni Lopez made the motion to adjourn.

President Carey