

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
JUNE 6, 2012**

The June Borough Council Meeting for the Borough of Clarks Summit was conducted on Wednesday, June 6, 2012 at 7:00pm. 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 was Gerrie Carey, Herman Johnson, Pat Williams, Virginia Kehoe, Roy Davis, Patty Lawler, Mayor Harry Kelly, David Jenkins, Solicitor Rogan, and Jennifer Schmidt.

CALL TO ORDER: **President Carey**

MEDITATION: **Mayor Kelly**

PLEDGE OF ALLEGIANCE: **Mayor Kelly**

THANK YOU TO ERNIE CICILIONI **President Carey**

Gerrie Carey read a "thank you" letter to Ernie Cicilioni, Mr. Cicilioni was there to accept the letter and he and Gerrie Carey had a picture taken together.

THANK YOU TO LOU VITALE **Mayor Kelly**

Mr. Lou Vitale was not present at the meeting. Mayor Kelly read a proclamation honoring Lewis Vitale declaring the day of June 6, 2012, as Louis Vitale Day in the Borough of Clarks Summit, Pennsylvania.

ACCEPTANCE OF DON MOYER RESIGNATION **President Carey**

Roy Davis was the first to make a motion to accept the resignation of Donald Moyer. David Jenkins seconded the motion, all were in favor 6-0 the motion was unanimous.

1. **APPROVAL OF AGENDA:** **President Carey**

David Jenkins was the first to approve the agenda, Patty Lawler seconded the motion, all were in favor 6-0 the motion was unanimous. Virginia stated that we have 30 days to replace Mr. Moyer. The next council meeting for a vote isn't until July 11, 2012, the borough can advertise to take action after the work session or default to the vacancy board

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

David Jenkins made the first motion to approve the minutes, Patty Lawler seconded the motion, all were in favor 6-0 the motion was unanimous. Herman Johnson asked that a correction be made on 4/4/12 meeting minutes. The name Chris Yarns needs be changed to George Yarns.

**1/31/12 Work Session
3/27/12 Work Session
4/4/12 Regular Council Meeting
5/2/12 Regular Council Meeting**

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

Gerard Hepman the Lackawanna County Department of Community Relations discussed events happening in Lackawanna County. 3 on 3 Basketball tournament will be in downtown Scranton; Fishing Derby will also be in Lackawanna County; The Steamtown Schedule is available; Tobyhanna Army Depot Open House; Summer Concerts Series on Courthouse Square; Voter ID law information is also offered.

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

No new information.

5. **BOROUGH TREASURER'S REPORT** **President Carey**

David Jenkins was the first to make a motion to approve the Treasurers Report, Herman Johnson seconded the motion, and the vote was unanimous 6-0

6. COMMITTEE REPORTS:

- **Building & Plant** Pat Williams, Chair
The Clarks Summit Police Department is all painted. Working on getting floor in Police Department and Lockney Hall cleaned and buffed. They are working on putting up the 4 flags in the front of the building. The Borough is checking into cleaning person also. People have been volunteering to clean up the parks, cutting grass, etc. The VFW will take care of Veterans Park. Virginia commented that Carnation and Lewis Lane were adopted by members of the community to keep those parks neat. Pat Williams also thanked the VFW for the excellent job on the Memorial Day Parade, Dominic Scott coordinates the parade. Clarks Summit would recognize the VFW and Dominic Scott and invite him to the July meeting. Mayor Kelly suggested that possibly the borough consider having a 5K race prior to the Memorial Day Parade in the upcoming years. There was a discussion about possible traffic tie ups that may occur in Clarks Summit Borough.
- **Finance Committee** Gerrie Carey, Chair
Gerrie Carey read off Finance Committee report to Borough Council. Herman Johnson discussed the police cars that are needed in the borough. He had provided information concerning leasing police cars to council. Mr. Johnson asked for council to look into the leasing program available to the Borough.
- **Grant Committee** Patty Lawler, Chair
Patty indicated that the Borough was approved for a \$7500.00 Technical Assistance Grant. She still had not gotten the results of the Lackawanna County Art Grant.
- **Insurance Committee** Roy Davis, Chair - (QMRM, Glatfelter, Trident, Selective)
Virginia Kehoe discussed the Errors and Emissions Report, which needs to be renewed by the end of the month. Ms. Kehoe is getting 4 different quotes, but it is anticipated that it will be the same company which is called "Selective." This can be voted on at work Session at the end of the month.
- **Personnel Committee** Gerrie Carey, Chair - Police Chief
Council discussed going into executive session to discuss personnel.
- **Public Safety/Safety** Herman Johnson, Chair
Safety committee researched the traffic patterns on Depot Street, especially concerning the local deliveries and the traffic congestion that occurs. There will be two signs put up. The signs will say "No Parking and "Local Deliveries Only" from 6-9am. The signs will be placed from the Silver Spoon down to the Consignment Shop. We have a draft ordinance on this and it can be voted on during the July 11, 2012 meeting. Gerrie Carey spoke about the Silver Spoon authorizing the "One Way" sign so customers will need to exit onto Depot Street not State Street. That is a courtesy to the borough that the Silver Spoon is putting the sign up.
- **Public Works** Herman Johnson, Chair - Greg Pascale for Tech 78
Attorney Greg Pascale was present to discuss the pass through agreement needed with Clarks Summit Borough concerning the sewer system. Attorney Pascale was representing Tech 78, and Mr. Marciano who is principal of the CO. Tech 78 is planning on building a townhouse development on Noble Road. They are requesting conditional approval of 21 EDU's, by entering into a pass through agreement. Not a direct connect, it would be a pass through. Virginia Kehoe stated that we were not able to approve the pass through because of South Abington Twp. We haven't resolved recent and past issues concerning direct connects and the borough would allow no new connections. I was suggested to Attorney Pascale to discuss this with Attorney Bill Jones. Herman Johnson discussed adopting parks in the borough and that is working well. It frees up the DPW to work on other projects. It is very helpful with community members keeping the local parks trimmed and clean.
- **Recreation** Don Moyer, Chair

Nothing new to report.

- **Recycling Committee** Patty Lawler, Chair - approved by DEP for Recycling Technical Assistance Grant. Patty Lawler is applying for a dep. 902 grant which has to be in by the end of June. Also, she is pursuing the possibility of competitive CDBG grant money for Depot Street apartments. Frank Savo owns the property and is in favor the making the building into apartments.
- **Clarks Summit Emergency Management Coordinator** Herman Johnson
Herman Johnson discussed the “bar lights” that were put on the EMA trucks. Councilman Johnson asked about the Narrowband radios. The Clarks Summit Police Department radios are capable of using Narrowband. Herman Johnson’s concern is that the Police Department, Fire Department, EMA, DPW and the Clarks Summit Borough all be able to communicate with each other if there is ever a crisis. Virginia Kehoe stated that the borough has to have narrowband by the end of the year. Possibly portable radios may be a better idea than the base radios. Two bases, six radios and three radios for the EMA are needed. Virginia Kehoe would check on prices and manufacturers.
- **Clarks Summit Shade Tree Commission** Donna Zagraban, Chair
Donna Zagraban stated that the Chesapeake Bay effort to increase the tree canopy and storm water runoff is going very well. Chris Pifer from the PA DCNR Bureau of Forestry spoke to council about the benefits of increasing the tree plantings in the Clarks Summit Borough, including the savings with storm water runoff. Currently Clarks Summit has a low tree count and the Shade Tree Commission is looking to increase that by 6%, which is 90 trees per year. Donna Zagraban continued by suggesting that by placing 53 trees in residential areas, 1 in commercial area, and 35 trees along the Clarks Summit Borough grounds, should help greatly with the tree canopy. There is now a grant in the works to plant 27 trees at the Gerrity’s Plaza. Donna also discussed educating residents on the benefits of tree planting; people are welcome to ask Donna Z. for advice, as to which trees are best for them and how to plant properly. Also, Donna discussed seedlings for the school district; either sending the seedlings home with the students or planting the seedlings at the schools.

7. **POLICE REPORT:**

Mayor Kelly

Chris Yarns read the report to the council. Roy Davis talked about the graffiti at the Little League parks and suggestions on how to handle this. Herman Johnson discussed the need for a police vehicle soon for the Clarks Summit Police Department. Also, a part time police officer needs to be hired. Virginia Kehoe stated that the Borough has received a few applications for the part time police officer position and that would be forwarded to the Personnel Committee.

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

President Carey

David Jenkins was the first to make a motion for vendor payments to be paid, Herman Johnson seconded the motion and the vote was unanimous 6-0.

9. **OLD BUSINESS:**

President Carey

- **Towerco – change in conditions**
Towerco had gotten approval for the cell tower with a number of conditions; we have an update on the status of those conditions. The Borough had requested that Towerco get a GP7 because of an issue on the possibility of wetlands. Bob Naegele felt there was an inaccuracy in the wetlands report. Since then the wetlands report has been updated and Bob Naegele is satisfied with the report, therefore condition Number 8 to get a GP7 has been removed. Dave Jenkins made the first motion to remove condition #8 concerning the GP7 for Towerco, Herman Johnson seconded the motion and it was approved unanimously 6-0. David Jenkins asked about when construction is to begin. Attorney answered by mid-summer construction should begin.
- **Narrowband Conversion:** This is discussed earlier in the meeting.

10. NEW BUSINESS:

President Carey

A. La County Recycling Center Contract Renewal

Borough received information from Waste Management. They are willing to take recyclables at no charge and people can put comingled together with paper and cardboard. Virginia Kehoe stated that she had a phone conference with a consultant to discuss recycling. The borough will not sign the contract with J.P. Mascaro until more information has been given. Virginia has a meeting set up with Sam Augusine. Borough will table this vote until more information is obtained. David Jenkins was the first to table this motion for the recycling center contract renewal, and seconded by Herman Johnson, the vote was unanimous 6-0

B. Resolution 2012 – 17 – July Parking Meter Suspension

Virginia Kehoe discussed suspending parking meters from July 13th and 14th during the sidewalk sales. David Jenkins made the first motion to suspend the parking meters, Patty Lawler seconded the motion and it was unanimous 6-0

Concerning the Ordinances below (C., D., E., F.), council discussed these ordinances in the Work Session Meeting. These are recommendations to be considered, they will be advertised and open to the public for comment. Council will have “public comment” at the beginning of the July 11, 2012 meeting. If council is ready, the ordinances can be voted on.

C. Ordinance 2012 – 05 – Curative Zoning Amendment – Lackawanna Trail

To change the property of David Noakes to “CC”

D. Ordinance 2012 – 06 – Traffic Amendment – Depot St

Making a few meters on Depot Street “No Parking”, from 6-9am.

E. Ordinance 2012 – 07 – Stormwater Ordinance

Council needs to update the Stormwater Ordinance, which was mentioned at the Work Session. It needs to be done by the end of the year. The template has been provided it just needs approval.

F. Ordinance 2012 – 08 – Sign Ordinance Amendment

Patty Lawler discussed amending this ordinance to allow flags to be displayed by commercial businesses. Flags displayed by businesses and my only contain the name of the business. “A1 Goldmine,” on Depot Street, displayed flags which were against the ordinance. He was asked to remove the flags. Patty Lawler as requesting the ordinance to change so flags will be approved by zoning and each store can have a flag to display their business. Question was asked by Herman Johnson, is every business in Clarks Summit included in this ordinance. The answer was yes. This can be discussed during the Work Session Meeting.

G. Sewer ordinance – recommended changes

Virginia Kehoe provided a copy of the Sewer Ordinance as it is now. Council needs to make the decisions on what changes need to be made for this ordinance. Then the Solicitor will approve the ordinance. Gerrie Carey offered to sit with Virginia Kehoe and review the ordinance and make suggestions for changes. This will be put on the Work Session Agenda.

11. BOROUGH SEWER OFFICE REPORT:

President Carey

David Jenkins made the first motion to accept the sewer office report, seconded by Herman Johnson; motion was unanimous 6-0.

12. SOLICITOR’S REPORT:

Solicitor Rogan

13. CORRESPONDENCE:

Attorney David Smith was present to discuss an issue concerning a sewer lookup for his client Mr. Keller. Attorney Smith received a certificate from Clarks Summit Borough on sewer report which stated that nothing was owed to PAWC or the sewer account. There was a lien on the property because of sewer payments that were not paid. The sewer lien was misfiled; the information given was therefore inaccurate. David Jenkins made the first motion to waive the sewer lien, Herman Johnson seconded the motion, the vote was unanimous 6-0.

• **William Dunseith**

Virginia received an email from Mr. Dunseith, asking Clarks Summit Borough to change the traffic signal on Winola road, turning left on to North State Street; specifically a left turn signal. There is a left turn lane currently. Cars going straight on Highland Avenue make it difficult for opposing traffic

to make a left. The problem is that intersection is too small to make these changes and the project would be very costly.

- **Trinity Lutheran Church**

Trinity Lutheran Church is asking for signs to be placed on West Grove Street that read “Pedestrian Crossing” on Saturday evening and Sunday morning. There is already a crosswalk there. The question was asked about the borough’s liability issue if the signs are posted. One option is to put safety cones there instead. It was agreed that the Church should purchase crossing signs similar to those used by the police in the crosswalks.

David Jenkins discussed Shupp’s Excavating, Paving and Topsoil Company. Shupp offered to haul out the compost material behind the Senior Citizen building and in return he would donate several loads of blended topsoil back to the borough. Virginia Kehoe mentioned that before any votes are made, the borough needs to check with The Community Garden. They use the composting behind the Senior Citizen Center. That is the AAJRB property, not Clarks Summit Borough’s. Virginia will put it on the work session to update, make sure no one is using the compost pile.

Recessing at 9:52pm David Jenkins was first to vote on the recess, Herman Johnson seconded the motion; the vote was unanimous 6-0.

Reconvening at 10:12pm

14. EXECUTIVE SESSIONS:

President Carey

- **Prior-** **5/2/12 Personnel, Litigation**
 5/23/12 Personnel
 5/29/12 Personnel
- **During-**
- **Subsequent-**

Roy Davis’s made a statement to the council regarding the hiring of a Police Chief. The Clarks Summit Borough conducted a 6 month search, through public posting, applications and interviews, the Personnel Committee recommends Mr. Fred Glavich for the Clarks Summit Police Chief position. Mr. Glavich is presently the Chief of Police in the Borough of Waymart and also a retired Pennsylvania State Policeman. He is also an instructor for Act 120 program at Lackawanna College. Roy Davis was first to nominate Fred Glavich as Clarks Summit Police Chief, Dave Jenkins seconded the vote and it was unanimous 5-1 with Herman voting nay. Pat Williams asked if there is a concern with him voting. Borough agreed that there was no concern with Pat William’s voting.

Roy Davis stated that Gerrie Carey, Virginia Kehoe and the Labor Solicitor will meet to discuss the Police Chief contract. Negotiate the contract and bring back suggestions to the Work Session.

15. ADJOURN:

President Carey

Herman Johnson made the first motion to adjourn the meeting, Patty Lawler seconded the motion and all were in favor to adjourn 6-0 the vote was unanimous. Meeting ended 10:19pm

Respectfully Submitted,

Jennifer Schmidt