

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
JANUARY 2, 2013**

The regular January Meeting of Borough Council was conducted on Wednesday, January 2, 2013 at 7:03 P.M. The Meeting was held in Borough Council Chambers, 2nd Floor, 304 South State Street, Borough of Clark's Summit, County of Lackawanna and Commonwealth of Pennsylvania. Council members in attendance were President Gerrie Carey, Mr. Herman Johnson, Mr. Patrick Williams, Mr. Roy Davis, Ms. Patricia Lawler, Mayor Harry Kelly, OIC Chris Yarns, Mr. David Jenkins, Mr. Dominic Scott, Recording Secretary Virginia Kehoe, Chief Joe Laguzzi, and Jr. Council Member Matt Remus. Jr. Council Member Greg Johnson was absent.

CALL TO ORDER: **President Carey**

MEDITATION: **Mayor Kelly**

PLEDGE OF ALLEGIANCE: **Mayor Kelly**

OATH OF OFFICE: **Mayor Kelly**

Joseph Laguzzi took the Oath of Office as he is appointed to be the Chief of Police for the Clarks Summit Borough. Mayor Harry Kelly read the Oath and the Chief repeated the Oath which was followed by pictures with Borough Council.

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

Herman Johnson made the first motion to approve the agenda, David Jenkins seconded the motion, motion carried 7-0.

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

- **November 7, 2012 Regular Council Meeting**
- **November 27, 2012 Council Work Session**

Roy Davis made the first motion to approve the November Council Meeting and Work session minutes, Herman Johnson seconded the motion, motion carried 7-0.

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

Bonnie Novajoski spoke to Council about property that they own in Clarks Summit. One house at 519 Sheridan is in use and the other house at 508 Sheridan has been empty, no electricity and no water usage. They have been paying the sewer bill for the last 35-40 years. Mrs. Novajoski would like to have the house at 508 Sheridan taken off the record and not pay that sewer bill. Virginia Kehoe stated that there is a letter of correspondence from the Novajoski's which in in with the Correspondence. Virginia Kehoe did state that the Borough has billed other abandoned houses until they were torn down. Herman Johnson stated that the Novajoskis could not be exempted even though the property is not being occupied. The Borough does bill properties weather the house, apartment or business are occupied. The sewer collection authority bills the Borough on EDU's that go through the Municipality. But, Mr. Johnson stated that Council shouldn't make a decision yet. This should be discussed with the Borough Solicitor Pat Rogan first. Virginia Kehoe stated that several letters in the correspondence relate to similar issues with sewer billing and this might be the trigger to do some research. David Jenkins stated that precedent has already been set on this.

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

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

Reports are not available for this meeting. Will have January and February Treasurer's Reports ready for the February Borough Council Meeting.

DPW Foreman NEIL BARTHOLME David Jenkins made the first motion to appoint Neil Bartholme, Roy Davis seconded the motion, the vote was unanimous 7-0

Borough Engineer COLWELL – NAEGELE David Jenkins made the first motion to appoint Colwell-Naegele, Roy Davis seconded the motion, the vote was unanimous 7-0

Auditors MURPHY DOUGHERTY & COMPANY Roy Davis made the first motion to appoint Murphy Dougherty & Company, Dave Jenkins seconded the motion, the vote was unanimous 7-0

Abington Area Joint Recreation Board David Jenkins made the first motion to table this vote, Roy Davis seconded the motion, the vote was unanimous 7-0

Clarks Summit Planning Commission JOHN RECICAR David Jenkins made the first motion to appoint John Recicar, Pat Williams seconded the motion, the vote was unanimous 7-0

Clarks Summit Zoning Hearing Board JOHN JEFFREY Patty Lawler made the first motion to appoint John Jeffrey, Pat Williams seconded the motion, the vote was unanimous 7-0.

JOSEPH BONTRAGER Patty Lawler made the first motion to appoint Joseph Bontrager, Pat Williams seconded the motion, the vote was unanimous 7-0.

BOB KRANNICK (ALTERNATE) Patty Lawler made the first motion to appoint Bob Krannick, Pat Williams seconded the motion, the vote was unanimous 7-0.

Clarks Summit Shade Tree Commission JOSH ARP Patty Lawler made the first motion to appoint Josh Arp, Pat Williams seconded the motion, the vote was unanimous 7-0.

MOLLY PHILBIN Patty Lawler made the first motion to appoint Molly Philbin, Pat Williams seconded the motion, the vote was unanimous 7-0.

TCC JAMIE KRESGE David Jenkins made the first motion to appoint Jamie Kresge, Patty Lawler seconded the motion, the vote was unanimous 7-0.

VIRGINIA KEHOE – alternate David Jenkins made the first motion to appoint Virginia Kehoe, Patty Lawler seconded the motion, the vote was unanimous 7-0.

Liaison
Abington C.O.G. PAT WILLIAMS Herman Johnson made the first motion to appoint Pat Williams, Patty Lawler seconded the motion, the vote was unanimous 7-0

Lackawanna C.O.G. GERRIE CAREY Herman Johnson made the first motion Gerrie Carey, Patty Lawler seconded the motion, the vote was unanimous 7-0

Senior Site Council WARREN WATKINS Dominic Scott made the first motion to appoint Warren Watkins, Patty Lawler seconded the motion, the vote was unanimous 7-0

Senior Site Council BOB GILBERT Dominic Scott made the first motion to appoint Bob Gilbert, Patty Lawler seconded the motion, the vote was unanimous 7-0

Wales/Sister City WARREN WATKINS Roy Davis made the first motion to appoint Warren Watkins, David Jenkins seconded the motion, the vote was unanimous 7-0

ABPA (Ab. Bus. & Prof. Assoc.) GERMAINE CAREY David Jenkins made the first motion to appoint Gerrie Carey, Patty Lawler seconded the motion, the vote was unanimous 7-0.

WARREN WATKINS David Jenkins made the first motion to appoint Warren Watkins, Patty Lawler seconded the motion, the vote was unanimous 7-0.

Vacancy Board Chairperson

Vote was tabled, Daniel Kontz was suggested.

• **Vote - Police Pension Board- Resolution 2013- 01 Police pension withholding – 3%**

Virginia Kehoe stated that every January, Council votes on the contribution from the police and their contribution towards the pension. The Police Pension Board is recommending that police continue contributing the 3%. Roy Davis asked what the percentage was last year and Virginia Kehoe stated that it was 3%. David Jenkins made the first motion to approve Resolution 2013-01, Herman Johnson seconded the motion, the vote was unanimous 7-0. Pat Williams asked about 5% and 3% in the resolution. Asking what the two percentages are for. Virginia Kehoe stated that 5% must be contributed from the community; the police are paying 3%, meaning that the Borough is only obligated to pay the remaining 2%.

7. POLICE REPORT:

Mayor Kelly

Chris Yarns read off the Police Report. Herman Johnson asked Chris Yarns about the new vehicle, has there been any information update about that. Chris Yarns has not heard anything yet, should delivered around mid-January. Mr. Johnson asked about the 07 Tahoe and the 06 Ford. Officer Yarns stated that the 06 Ford is driven more, the alternator went on in and it needed to be towed, there are 107,000 miles on it. The 07 Tahoe is in much better shape. Newest officer has started working alone Zukowskas. Officer Yarns stated that the new officers need to be certified on speed enforcement devices. Virginia Kehoe asked Chris Yarns about the new parking spaces in front of Bedford Towers. Does Officer Yarns feel that a towing program should be considered? The DPW cannot plow when cars are parked there. The question also is, is towing a car for a parking violation is reasonable? It is an ordinance not allowing people to park between 11pm-7am in the Borough. Chief Laguzzi stated that Council would have to change the ordinance to see if it is legal to tow a car after five days of being parked illegally. Herman Johnson also inquired about Bedford street asking if the street a snow emergency route. Herman Johnson stated that maybe it should be an emergency route, because of the Fire Company being on that street.

8. VENDOR PAYMENTS TO BE RATIFIED:

President Carey

Not prepared, will have the Vendor Payments in the February meeting.

9. OLD BUSINESS:

President Carey

• **Meter Parking Amendment**

Virginia Kehoe stated that she will contact George Carros and invite him to come to a Work Session. Have him explain what it would cost to change the meters over. David Jenkins suggested changing a few meters at a time. Not all at once.

10. NEW BUSINESS:

President Carey

11. BOROUGH SEWER OFFICE REPORT:

President Carey

Virginia Kehoe stated that she has not gotten this month's report from Laurie Rosengrant. Ms. Rosengrant is scheduled to come to the work session. Herman Johnson asked if there are any changes with the sewer committee. Roy Davis stated that there seems to be cooperation with the sewer authority. The cost is now \$47 a month for the sewer.

12. SOLICITOR'S REPORT:

Solicitor Rogan

13. CORRESPONDENCE:

• **Thomas Horvath**

- **Alice & Robert Hileman**
- **Ken & Bonnie Novajosky**
- **VFW**

Virginia Kehoe stated that all the above correspondence is related to sewer billing. Whatever committee finds an answer to the question about sewer issues will be discussed during the executive session.

- **Urban Innovations**

Virginia Kehoe stated that officials from Bedford Towers are asking the Borough to help with towing, but the Borough can't tow on private property. Bedford Towers argued that the police ticket and can tow at the shopping centers etc., but that is for fire lane parking and handicapped parking issues. Gerrie Carey suggested that they implement their own ticket and towing system. It is not Borough owned property.

- **LJ Milo Enterprises**

Donna Milo wrote a letter to Council regarding the CVS that is currently with the Planning Commission. In fact the Planning Commission has recommended them for approval; they will be coming to the February meeting to get a vote from Council. Virginia Kehoe stated that she will have updated plans from contractors with the list of conditions. CVS will be submitting preliminary designs, and will come back for final approval. That will be handled through bonding. Herman Johnson stated that the flooding issue is from Highland Avenue, need to check that area out. Ms. Kehoe stated that when the ground is opened during the beginning stages of construction, the Borough will will camera the storm drains and repair any pipes while the ground is already open. Mr. Johnson asked that the EMA be kept aware because of the flooding in that area.

14. EXECUTIVE SESSIONS:

President Carey

- **Prior- December 5, 2012 - Personnel**
- **During-**
- **Subsequent-**

Executive session will immediately following the meeting.

15. ADJOURN:

President Carey

David Jenkins was the first to make a motion to adjourn the meeting, Herman Johnson seconded the motion, the vote was unanimous 7-0.