

**BOROUGH COUNCIL SPECIAL MEETING
JANAURY 29, 2013
7:00 PM**

The regular January Meeting of Borough Council was conducted on Wednesday, January 29, 2013 at 7:00 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, Mr. David Jenkins, and Recording Secretary Virginia Kehoe. Mayor Harry Kelly, Dominic Scott, Jr. Council Member Matt Remus and Jr. Council Member Greg Johnson were absent.

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| 1. | WORKSESSION: | President Carey |
| 2. | PUBLIC COMMENT | President Carey |

- **Sewer Authority Update – Steve Evers**

Steve Evers and Wayne Miller are going to come twice a year to update Council on the Sewer Authority. Virginia Kehoe stated that at the February 6, 2013 Council Meeting, Council has to vote on the Municipal Guarantee. Wayne Miller from ARWA agreed to setting up a Communication Committee through ARWA which consists of himself, Steve Evers and Gloria Lance. The Committee meets every other month and the last communication to the public was with the brochure outlining the plans. Open lines of communication with the public have opened up a great deal. The community efforts beyond the brochure include meetings with several service groups in each of the three districts. There has been a large outcome. Community awareness has greatly improved thanks to the Times Leader. ARWA prepared and distributed and comprehensive report which is a review of their efforts in 2012. They received high ratings on the content of the review. The key issue is how the project is going to be financed. ARWA distributed the information to parents, through the school district and a website was established and is updated also. David Jenkins stated that Wayne Miller was very informative. Pat Williams stated that the flier was very well done and very informative, keep reaching out to the community. People want to know why the sewer bill is going up and this explains a lot to community. The financing bids came in better than expected and the construction bids did come in better also. Steve Evers commented on the Municipal Guarantees. The difference of having a Municipal Guarantee and not having one is about \$4 million dollars. Steve Evers thanked Virginia Kehoe for all of her help. David Jenkins asked for a ballpark completion, the response was that ARWA is mandated to have it up and running by September of 2015.

- **Sewer Authority Joint Treatment Agreement**

- **Sewer Billing – Laurie Rosengrant**

Laurie Rosengrant stated that they are consistently seeing a positive increase in the sewer payments. The increase of \$4 in January was an issue for residents. They are working diligently to answer questions and provide information to people in the Borough. Ms. Rosengrant stated that they will begin looking into the delinquent payments with Virginia Kehoe and how to proceed. David Jenkins stated that there were questions about direct and automatic pay, is that available or a possibility. Ms. Rosengrant is gathering information about the automatic deduction but has not gotten all of the information yet. She has been asking residents if they can use their online-banking to pay the sewer bill. The website does have the ability to set up credit card payments online. After the information is gathered, they will run this past Melissa Jones (C.S. Treasurer) and sum up the information and present it to Council. Reply envelopes will set an extra cost. If someone wants a return envelope, they can come to the Borough and pick up a few envelopes. People did call about the Sewer Mail Drop at the Clarks Summit Borough Building. People are still going to the side of the building not in the front which is where the drop is. The message about the drop box will be on the bill permanently. Herman Johnson state that they are doing a commendable job and it takes a while to get used to. Ms. Rosengrant stated that October was very difficult. Her office received about 1,500 phone calls from residents. December was quieter; January calls came in because of the increase of \$4. Many call and thank them for the help. Pat Williams asked about the delinquent bills and what is being done about them. There were some people that were not being billed, they were put on

the billing system. Roy Davis asked if residents pay up front do they get a discount. If they are going out of town can they pay early, but there would not be a discount. Tenants are being billed directly and the homeowners get the quarterly statement.

- **EIT Tax Collection – Pearl Salvo**

Jamie Kresge had given Council updates on what was happening with Centax and the Don Wilkinson Agency. Jim Hunt give an update on where they stand. Collections last year for 2011 plus what they have received through 2012 exceeded slightly. A receiver was appointed in November. The money is being identified, this way they will know which municipalities the refunds belong to. First and second quarter returns will be released to the Borough. For 2012, there was \$155,000-\$160,000 per quarter from remittances from employers and self-employed residents. 2011 returns that are still outstanding are being worked on. They will be re-auditing 2011 returns. Virginia Kehoe asked about people that owe money. They will be audited, if they do owe the money, and they may ask residents to reissue a check as it has been a long time. Or they will be notifying most people that they will be cashing their check. The whole process will be reworked from the beginning to end. Herman Johnson asked how far can Berkheimer can go back. They might have more mistakes that go further back. Mr. Hunt stated that there is no statute of limitations for this, once they review the information. Clarks Summit Borough can look at the state list comparison, produced by the Department of Revenue, which is released to the school districts in the commonwealth detailing individual's wages for those periods. Herman Johnson stated that there were no good record keeping, they are not communicating with each other and this is the problem. The issue at hand is that the Pennsylvania Department of Revenue will supply information to school districts and Municipalities. The districts have been cooperative; the issue is if we don't have accurate records from Don Wilkinson, we could be going after money that has already been paid out. Unfortunately you can't say for certain if the you can audit for 2009 and 2010. They will if they can. Virginia Kehoe stated that the Travelers Insurance Company has started making payments to the receiver to help fund getting this work done. They are making it financially possibly to do these audits. There was a hold up but now they are covered for the Centax and Don Wilkinson Agencies. Patty Lawler asked what was owed to the Borough. First quarter earned \$8,000 from non-residents. Jamie Kresge asked if a person is on an extension for 2011 what would be the status of the individual of that. The returns should have been forwarded to them and processed if not they would be part of the returns that they are picking up from Centax. 2 trucks are picking up the last two loads of information. Can we get a list from the state, of our residents, that the schools get? Can get a list of tax payers; do encourage clients to review the list. Checks and balances system.

- **CVS Land Development & Subdivision – Preliminary Approval**

Virginia Kehoe stated that Council will be voting on the CVS Land Development and Subdivision at the February 6, 2013 meeting. This will be the approval of preliminary plans, the final plan in about a year or so. Ms. Kehoe provided information for Council to review. Donna Zagraban wants more trees planted in the front of the building. This vote will give CVS conditional approval so they can keep moving along with their next phase.

- **AAJRB Appointment**

Roy Davis suggested Rich Yarmey for Council Appointed Representative for the AAJRB. Mr. Davis suggested having the Personnel Committee meet with Mr. Yarmey. Pat Williams suggested that David Petz be advised of the open appointment as well. Council can vote on this issue at the Council Meeting in February.

- **Sewerage Enforcement Officer Appointment**

Virginia Kehoe is not aware of anyone else interested in that position. Herman Johnson asked if it is a paid position, why don't we advertise the open position. David Jenkins agreed with this suggestion. Put the advertisement on our web page. There is a lot of responsibility if the job is done the right way.

- **Vacancy Board Chairman Appointment**

David Jenkins asked if Mr. Kontz was interested in the Vacancy Board position and Virginia Kehoe responded yes, he is very interested.

- **Committee appointments**

Herman Johnson suggested going through the Committees now.

Building and Plant: Pat Williams Chair, David Jenkins, Dominic Scott

Finance Committee: Dominic Scott Chair, Pat Williams, Gerrie Carey

Grant Committee: Patty Lawler Chair, David Jenkins, Gerrie Carey
 Insurance Committee: Roy Davis Chair, Gerrie Carey, Pat Williams
 Personnel Committee: Gerrie Carey Chair, Roy Davis, Dominic Scott
 Police Pension: Gerrie Carey and Roy Davis
 Public Safety Committee: Pat Williams Chair, Herman Johnson, Gerrie Carey
 Public Works Committee: Herman Johnson Chair, Dominic Scott, Pat Williams
 Recreation Committee: Dominic Scott Chair, Gerrie Carey, Roy Davis
 Recycling Committee: Patty Lawler Chair, Roy Davis and David Jenkins
 Police Contract Negotiation Committee: Roy Davis wants to table this-have the entire council discuss that at a personnel committee. Herman Johnson stated Council could go into an executive session and discuss this committee.

- **Police Contract Negotiating Committee**

The Police contract ends this year. This is can be automatically renewed with the changes shown.

- **Job Descriptions and evaluations:**

Personnel Committee can get together and discuss job descriptions and evaluations.

- **Earth Day – Patty Lawler**

Patty Lawler stated that Earth Day is going to be April 20, 2013. Last year it brought a lot of excitement and generated a lot of good will. Ms. Lawler worked with 12 sponsors and promoted the program. The Borough was the honorary chairs. We want to get more sponsors for 2013. Council could be the honorary members again. The Borough would need to close Spring Street and if anyone is interested and would serve well on the Earth Day Committee, let her know. Sponsorship is \$100 and Ms. Lawler wants to encourage The Rotary, The Lions, The Garden Club, The Civic League, The Churches, and Junior Council to participate. This might be able to be a fundraiser for the Borough and possibly a bucket truck could be purchased by the Borough as we are always renting or borrowing one. With the proceeds from Earth day could have another piece of equipment like the bucket truck. Christmas lights were better than last year. Want to do a \$20,000 job for next years' Christmas, possible look into discounted lights from 2012 for next year. Roy Davis is concerned about the liability issue in using the bucket truck. It was explained that the DPW is experienced with the bucket truck.

Patty Lawler asked that Donna Ebersole receive a proclamation after retiring from her business "A Stich In Time." Sarah Dawgert suggested a playground in Clarks Summit, Patty met with her; there is grant money for green space for handicapped accessible playgrounds when using recycled playground equipment. She thought of behind Benetton/Lee's Denim Diner which used to be a drive-in bank. De Naples owns the property. Ms. Dawgert wrote a letter, and if the draft if approved, Virginia Kehoe will send it to De Naples. She and her husband are grant writers. Maria property status is they had delays with estate planning issues.

Towerco update-they got everything filed with the county and met the conditions and working on their building permit.

- **Parking Permits – Patty Lawler**

Patty Lawler stated that the Borough sold 8 parking permits in the first month which resulted in \$240 in revenue. Feedback has been mostly positive some think it is too much money. Some business people think the amount is a bargain. Tom Hill who owns the State Street Grill purchased 5 permits already. Patty asked Council their opinion if possibly the first parking permit fee is \$30, and the following would be \$25. Council's recommendation is to keep the price at \$30 because this is a convenience. David Jenkins asked about having electronic parking meters on the side streets in the Borough. Virginia Kehoe stated that George Carros should be at the meeting February 6, 2013 to answer questions.

- **REVIEW OF FEBRUARY 6, 2013 AGENDA**

Virginia Kehoe stated that on the draft agenda for February 6, 2013 need to vote on three resolutions. First is the reallocation of the monies to handle Depot Street for CDBG. Second, is the suspension of the parking meters for the Ice Festival. Lastly, Melissa is asking that we destroy some old records. There are two ordinances that Council will have to review for March. First, the Shade Tree Commission is asking for an ordinance where with any change in use, or any land development, with every 25 feet of street frontage they would have to have a tree. The second is the auditors for the pension were here and to be Act 16 compliant we have to give a definition of a college age student regarding survivor benefits for the police pension. Gerrie Carey asked, once the trees are planted, no we have a tree ordinance that property owners are responsible for the trees in the right a ways. Is this the same for businesses Herman Johnson asked.

Mr. Johnson stated that when leaves come down and block our storm drains we do maintain that so it should be reviewed.

Herman Johnson asked how the radios with narrowband are. Virginia Kehoe stated that they have been delivered and they are finished. Mr. Johnson stated that he should be receiving three radios. The Borough roof was leaking. Virginia Kehoe stated that the Borough is under warrantee and she contacted the warrantee company and they contacted Dunmore roofing to come fix the roof. Herman Johnson stated that the EMA truck needs to be inspected. Also Mr. Johnson suggested sending a letter to the DPW thanking them for the commendable job that they have done. During the fall there was difficult weather, the DPW stepped it up a notch as they cleaned up leaves and brush. Then they had more snow last month than the Borough had last year. They did an excellent job keeping the streets safe and cleaned up.

David Jenkins asked about the elevator entrance. The lights as a system safety condition are not working properly, it's totally dark. Virginia Kehoe stated that the fixtures need to be replaced and she was planning to discuss this with the finance committee.

Herman Johnson discussed Veterans Park. Joe Cluck came out and took a picture of where they want to put the Gazebo and take out the telephone poles. So far they sent letters and are waiting for donations. Once Veterans Park is completed it is going to be a beautiful park.

4. ADJOURN:

President Carey

David Jenkins voted to adjourn the meeting, Roy Davis seconded the motion, vote was unanimous 7-0.