

**BOROUGH OF CLARKS SUMMIT  
BOROUGH COUNCIL MEETING  
June 5, 2013**

The regular June Meeting of Borough Council was conducted on Wednesday, June 5, 2013 at 7:00 P.M. The Meeting was held in Borough Council Chambers, 2<sup>nd</sup> 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, Ms. Patricia Lawler, Mr. David Jenkins, Mr. Dominic Scott, Recording Secretary Virginia Kehoe, Chief Joe Laguzzi. Councilman Mr. Patrick Williams and Mayor Harry Kelly were absent.

**CALL TO ORDER:**

**President Carey**

**MEDITATION:**

**Mayor Kelly**

**PLEDGE OF ALLEGIANCE:**

**Mayor Kelly**

**JUNIOR COUNCIL RECOGNITION**

**Mayor Kelly**

Virginia Kehoe stated that we will wait for the worksession for this.

**FIRE COMPANY UPDATE**

**Chief Hoinowski**

Jake Hoinowski read off statistics for the Fire Department calls for 2012 and 2013.

**1. APPROVAL OF AGENDA:**

**President Carey**

David Jenkins made the first motion to approve the agenda, seconded by Herman Johnson, motion passed 6-0.

**2. APPROVAL OF MINUTES:**

**President Carey**

- **May 1, 2013 Regular Council Meeting**
- **May 28, 2013 Council Work Session**

Herman Johnson made the first motion to approve the minutes, seconded by Patty Lawler, motion passed 6-0

**3. PUBLIC COMMENT & INPUT:**

**President Carey**

Mary Ann Nichols addressed Council, providing information for future fundraisers for "The Gathering Place," in August or September 2013, "The Gathering Place" starts its capital campaign drive which will be a media event that will take place at the first floor of the Borough Building. Dori Waters presented the Borough with a \$200 check donation for the light fund, from the AACC.

Joe Krott, EMA Coordinator, stated that there were no problems reported to the EMA even though there has been a lot of rain.

Paul Keeler, Lackawanna County Bar Association, Chairman for the Wills for Heroes' Program spoke to Council about a program that drafts wills, power of attorney, and medical directives for police officers, firefighters, and EMT's and their spouses. This is his 4<sup>th</sup> year doing this and this year they are targeting the Abington area. On September 21, 2013 at the Clarks Summit Fire Hall, Clarks Summit, Chinchilla, Newton, Ransom, Dalton, and Waverly will be invited to participate with the Wills for Heroes' Program. Mr. Keeler asked for Council's help to promote the event.

Dorothy O'Connor from the ABPA, helps out with the Downtown Go Around, wants to whitewash the walls of the first floor garage bays. They would like to use a primer coat and one wall maybe blackboard paint can be used, not sure yet. Herman Johnson stated that it would be great, David Jenkins stated that they would have to put a good quality paint because the red paint that is down there may be difficult to cover. David Jenkins made the first motion to give permission for the painting of the first floor garage bays at the Borough Building, seconded by Patty Lawler, motion passed 6-0. Secondly, Dorothy O'Connor discussed the concert set for Saturday in June 15, 2013 at the Borough building. It was agreed that the security must be approved and determined by Chief Joe Laguzzi. Chief Laguzzi stated that he talked to Drew Walker about the security and different options. They would provide the payment for the police, and their own security. David Jenkins made the first motion to approve the concert set for June 15, 2013, as per the Chief's recommendations, seconded by Herman Johnson, motion passed 6-0. Mrs. O'Connor also discussed having a Farmer's Market on Spring Street, October 19<sup>th</sup> and 26<sup>th</sup>, 2013. This would require the closing of Spring Street alongside the Borough Building. David Jenkins made the first motion to approve a Farmer's Market on Spring Street, motion was seconded by Patty Lawler, motion passed 6-0.

Virginia Kehoe stated that the advertisements for the EMA Vehicle and the property on Summit Avenue will start running tomorrow. July Council meeting will be changed to from July 3<sup>rd</sup> to July 2<sup>nd</sup>, 2013.

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

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

David Jenkins was the first to approve the treasurer's report, seconded by Herman Johnson, vote was unanimous. Virginia Kehoe stated that the report is un-reconciled; don't have the final bank statement, the balance is as of last Thursday.

**6. COMMITTEE REPORTS:**

- **Building & Plant** Pat Williams, Chair
- **Finance Committee** Dominic Scott , Chair
- **Grant Committee** Patty Lawler, Chair
- **Recycling Committee** Patty Lawler, Chair – May Recycling

leader – Abington Family Dentistry

Patty Lawler stated that a submission has been sent to be considered for an award in Harrisburg for Waste Watcher Award. Also the US Route 6 grant won't be awarded until 2016. The grant is worth going after, it is very encouraging.

- **Insurance Committee** Roy Davis, Chair
- **Personnel Committee** Gerrie Carey, Chair
- **Public Safety/Safety** Pat Williams, Chair
- **Public Works** Herman Johnson, Chair
- **Recreation** Dominic Scott, Chair
- **Additional comments from Council**

**7. POLICE REPORT: Mayor Kelly**

Chief Laguzzi presented the police report to Council. Patty Lawler complemented Chief Laguzzi on the DARE program. Patty Lawler stated and asked, the aggressive driver campaign is going into phase two, and does that translate into more revenue? Chief Laguzzi discussed the first wave's numbers. Police are out looking for high rate of speeds, disobeying traffic control devices such as traffic lights, stop signs, tailgating, and texting while driving; anything that would create an accident. They are trying to reduce the amount of accidents. Chief Laguzzi stated that the Borough does have quite a few accidents in town, and that is one reason we have been given a grant. Ms. Lawler inquired about informing the press so they can get the word out to the community.

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

David Jenkins made the first motion for the vendor payments to be ratified, seconded by Herman Johnson, vote was unanimous 6-0.

**9. OLD BUSINESS: President Carey**

• **Assault Rifles - update**

Citizens responded to donate funds for the assault rifles for the Clarks Summit Borough. Chief Laguzzi will implement a strong training policy for all the Clarks Summit Police Officers. Some people that donated wanted to remain anonymous. David Jenkins made a motion to purchase the assault rifles and Chief Laguzzi is able to present a policy and training for his staff that Council is comfortable with, Herman Johnson seconded the motion, vote was unanimous 6-0. Roy Davis is concerned that the officers are properly trained to handle the assault weapons. Should our police officers be armed with assault rifles? Are assault rifles the proper protection for our officers? Mr. Davis is concerned with assault weapon as an offensive not defensive weapon. Mr. Davis was concerned about the part time officers being prepared to use such a powerful weapon? Chief Joe Laguzzi stated that every Clarks Summit Borough Police Officer would need to be fully trained. They must be qualified to use the assault weapons. The thought was that maybe a SWAT team could be called to a location. If a call comes in, the patrol officers will be on scene first, they would need protection. Herman Johnson stated that we have to look at the policy, get the officers trained. David Jenkins stated that the Chief came with the request months ago, committees met about this; there should not be any delays. Herman Johnson is looking at the Clarks Summit Borough's liability. Mr. Jenkins has faith that the police will get the training that is required. Chief Laguzzi will make sure the policy is tight and there is appropriate training. Roy Davis asked if other Boroughs and Townships in the area have these assault weapons, the answer is yes.

• **Ordinance 2013-02 Police Pension Amendment**

Virginia Kehoe stated that we do have a draft, can vote July 2<sup>nd</sup> meeting. Pension auditor said that the Borough has to approve to adhere to their policies. Solicitor Pat Rogan changed the definition of "college aged" in the draft. Virginia Kehoe stated that this is being advertised.

Executive Session at 8:02pm

Returned from Executive Session at 8:48pm

**10. NEW BUSINESS: President Carey**

- a) **Contract – Virginia Kehoe and Neil Bartholme:** Roy Davis made the first motion to approve the contract for both Virginia Kehoe and Neil Bartholme, seconded by Dominic Scott, motion passed 6-0.
- b) **Police Union Contract:** Vote has been tabled, because two members of Council were not at the previous Work Session and did not review the contract in full. Hold until next Council meeting.
- c) **CVS – sampling on Lackawanna Trail:** David Jenkins made the first motion to approve the developers for CVS to drill the boring holes on Lackawanna Trail, seconded by Patty Lawler, vote was unanimous 6-0. Herman Johnson asked if we have a map of where the boring holes will be, Virginia Kehoe stated that yes the map is included in the information
- d) **Ordinance 2013-03 Neighborhood Preservation Ordinance:** Virginia Kehoe stated that the City of Carbondale already has this ordinance in place. Clarks Summit’s Police Chief Joe Laguzzi feels as though this ordinance might adapt very well to our needs in the Borough. Provided a copy of the ordinance, can advertise like ordinance. It is a well-rounded ordinance which gives tools for police and code enforcement officer; if we have consistent issues with tenants the owners will be contacted and held responsible. David Jenkins voted to advertise this ordinance for adoption, seconded by Herman Johnson, motion passed 6-0.
- e) **Policy – Use of Borough Building:** Virginia Kehoe stated that the Borough needs to have something implemented, because the number of groups asking to use the Borough building is growing. The Borough is owned by the community and therefore it is wonderful that we can make it available to them, but our taxpayers are bearing a great expense on electricity and heat, and paper products and so forth. This doesn’t need to be advertised because this is a policy not an ordinance. David Jenkins suggested raising the fee from \$10 to \$25 an hour. Any damages that occur will be the responsibility of the renter. Herman Johnson asked about the section where the “Borough accepts no liability that should be examined”. David Jenkins suggested that it say that whoever rents the area needs to have proof of current insurance. The Fire Company might have a policy that we could get a copy of their usage agreement and implement that into ours. Show consistency etc. We are not promoting use of our building; we are just saving our tax payers from bearing the cost when non-profit groups want to use the open space. Roy Davis stated that we should reserve the right to deny the request, a right of refusal.
- f) **Trash Contract:** Virginia Kehoe stated that the trash contract expires September 28, 2013 and the Borough has to give 60 days’ notice, the sooner we work on this and get the bids, this can be on the budget. Herman Johnson suggested getting a committee together. Patty Lawler, Pat Williams and Gerrie Carey volunteered to be on the committee for new trash contract.

**11. SOLICITOR’S REPORT:**

**Solicitor Rogan**

**12. CORRESPONDENCE:**

- **UGI – pave cut fee challenge:** UGI sent the Borough a check for \$150.00 for three pave cuts. Each pave cut is \$300.00. They under paid \$750.00. David Jenkins suggests that the Borough Solicitor, Pat Rogan send a letter to UGI, they need to reciprocate the proper amount and they are not able to make any pave cuts in the Borough until this is paid. Virginia Kehoe stated that she will work with Mr. Rogan on this. Ms. Kehoe stated that the ordinance requires a permit in advance for a pave cut, which UGI has not complied with.

**13. EXECUTIVE SESSIONS:**

**President Carey**

- **Prior-**                      **5/1/13 Personnel**  
   **5/28/13 Personnel**
- **During-**
- **Subsequent-**

**14. ADJOURN:**

**President Carey**

David Jenkins made the motion to adjourn the meeting at 9:06pm, Dominic Scott seconded the motion, vote was unanimous 5-0 with Herman Johnson voting Nay.

These meetings minutes are respectfully submitted by Jennifer Schmidt