

**BOROUGH COUNCIL SPECIAL MEETING
JULY 28, 2015
7:00 PM**

The July 28, 2015 Borough Council Special Meeting was conducted on Tuesday, July 28, 2015 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 Mrs. Gerrie Carey, Mr. Vincent Cruciani, Mr. Jim Klein, Mr. David Jenkins, Mr. Herman Johnson, Mr. Dominic Scott, and Borough Manager Virginia Kehoe. Absent from the meeting was Mr. Patrick Williams and Mayor Patty Lawler, and Solicitor Pat Rogan.

1. **PUBLIC HEARING Ordinance 2015-06 Zoning and SALDO Amendment**
Virginia Kehoe stated that this was developed with the MS4 requirements for storm water controls. The first thing that we are doing in this ordinance is amending section 404.3 of our zoning ordinance to now require larger minimum lot sizes for building. The second part of this amendment is under part 4, 5, and 6, changes the lot coverage; the maximum lot coverages for construction on properties as well. Vince Cruciani stated that R1 is 20% and the remaining zones are 25%. Ms. Kehoe stated that the point is to stop the increase of impervious surface because we are dealing with too many flood issues. The third part of the amendment is changes to the subdivision and land development ordinance. When it comes to minor subdivisions such as a lot line adjustment between two homes or taking one property and dividing it into two, the Planning Commission has always been able to make the final decision without going to Council. Council feels it is in their best interest to have final say on any and all subdivision and land development plans. Virginia Kehoe stated that tonight was for the public hearing and the vote will be next week. David Jenkins made a suggestion to have this on the agenda for next week's meeting (August 5, 2015).

2. **WORKSESSION:** **President Carey**

3. **PUBLIC COMMENT** **President Carey**
 - **Matt Cottengim, Community Banner:** Mr. Cottengim stated that he was before Council in February of this year, since then he has formed his own company. Virginia Kehoe stated that he mentioned, he asked what we have, we have seasonal banners, enough business to justify 4 seasons. If Council is interested in pursuing this, get a committee to set up design ideas that he can present to businesses to see how they feel about it and if we have a market then we don't have to pay to replace the banners that are threadbare right now. The factors are the number of designs where a seasonal banner would require 4 different banners that would require a sponsorship. As opposed to a standardized community banner. Mr. Cottengim stated that we would have to know how many banners there are total and if the hardware in place right now is suitable. And how many years of a partnership 1.2.or 3. Herman Johnson was under the impression that we were going to go to the ABPA and get some ideas from them. We need to get the business people involved but he doesn't

know if there was any follow up. Virginia Kehoe stated that back in February council liked the idea but decided to table it for a while. We didn't get to the point where we reached out for reaction. Herman Johnson stated that he likes the idea about getting a committee together. Mr. Johnson stated that it would be a nice addition to the community, worthwhile task for ABPA and the Borough to see if it is feasible. Vince Cruciani stated that he doesn't know either way if he is for it, but to not bind the next Council he would only agree to a 2 year contract. Mr. Cruciani stated that there were modifications and revisions to the original contract, Mr. Cruciani will resend the email to Mr. Cottengim. Gerrie Carey stated that she would be a part of the Committee; Ms. Kehoe also agreed to be on the committee, as well as Herman Johnson. Set up a meeting tomorrow with the committee.

- **E Greenwood Plans:** Virginia Kehoe stated that she had a meeting with Borough Engineer Bob Naegele today. Ms. Kehoe showed Council a diagram of the area in question. There will not be grant money available for this. One issue, this is a rough cost estimate. \$200,000. Have to put in a whole new line and it has to go under a state road. Budget for it and see if we can find grant money. David Jenkins stated that it is going to cost us more in a lawsuit if we don't do the work. Herman Johnson asked if we can look to FEMA for grant money for infrastructure. Ms. Kehoe stated that she answered a survey from FEMA today and put in comments about residents in flood zones who are being penalized when they weren't in a flood zone 10 years ago. Ms. Kehoe stated that if we raise the culvert up it will drop it from a flow of 59 to a flow of 22. So we would probably be able to get away with that for 6 months. If we go ahead and start the berm now and look into money for this in the spring and in the meantime finalize the plans and try to seek grant money. Vince Cruciani asked if any of the streets in this impact area are on the paving list for 2016. Ms. Kehoe stated that she didn't think so. Ms. Kehoe stated that right now the berm is sandbagged but we can go ahead and put in that permanent berm there, we would just have to get the easements before that. Virginia Kehoe stated that she would check with the Solicitor for his legal opinion. Herman Johnson suggested having our Solicitor look into this when he was EMA director, the water coming from South Abington and Clarks Green and the water that comes from Noble road, we are getting crushed. We are getting penalized for other people's water.
- **Update - Front yard fences and Pods:** Virginia Kehoe stated that the Planning Commission is looking into these. Ms. Kehoe stated that they will be meeting in August. They will forward it to Council for their consideration.
- **The Gathering Place Council Liaison:**
- **Resolution 2015-11 Residential Antidisplacement and Relocation Assistance:** Virginia Kehoe stated that this Resolution came from the county. We need more information on this. Vince Cruciani stated that the liability on this is just out of control. Just for the grace of having some non-essential program by the county. First of all we see how their programs materialize, the private sector put up a brand new bar which created benefits all along the street. The Depot Street grant is 3 years out. This Resolution says if somehow somebody is displaced on Depot Street because the rent goes up, which would be their argument, and then it will be incumbent on the Borough to find them housing. Does that mean that the Borough is going to begin subsidizing housing for residents? Mr. Cruciani wants the county to say no, that is not the case in writing. Ms. Kehoe stated she doesn't believe that is the intent but we need that to be clear in writing we are at risk. David Jenkins stated that he would like

this on the agenda for the August 5, 2015 meeting for discussion and then we have the option to table it.

- **Resolution 2015-12 support for medical cannabis:** David Jenkins would like to move forward with this and put this Resolution on the August 5, 2015 agenda. Vince Cruciani stated that he would like to vote on that next week also. Vince Cruciani stated that one of the reasons this is being put forward is because there is a Republican member who is on the applicable committee from Tioga County and he is not moving this forward and they are trying to move it to a different committee. This is to put pressure on him to move this forward.
- **PPL street light outages:** Virginia Kehoe stated that Chief Chris Yarns has been trying to get in contact with PPL to get streetlights that are out fixed and working. Ms. Kehoe stated that the Borough is charged ever month \$13-\$20 a lamp depending on the size and the wattage. Chief Yarns has been trying for months to get the bulbs replaced. Today they replied back that it is on a priority list. David Jenkins suggested withholding payment to PPL with a letter notation on our letterhead that the reason the check is short is because they dropped the ball on this. Vince Cruciani suggested sending a letter with our next bill that enumerates that and see if they don't get turned on by the bill after that. Ms. Kehoe stated that they could just shut off our power. PPL is putting up a new street light for us and replacing an existing light over at Hemlock Park for no charge. Herman Johnson stated that we should ask for a credit for these last months that the lights have needed repair.
- **Ordinance 2015-08 SAPA Multi Municipal Agreement:** Vince Cruciani asked who our representatives are. Ms. Kehoe stated that our representatives are Barbara Evans and Len Wesolowski. Mr. Cruciani asked if SAPA's rules are binding. Virginia Kehoe stated that they are recommending bodies, we have our own zoning and their plans work with our zoning and give us a little bit more power. There was a fee to get it started and fees from time to time. Might involve a planner for a period of time, they feel there is grant money for 50% of that cost. We would be able to vote on this. David Jenkins suggested moving forward and putting this on the September 2015 agenda.
 - David Jenkins stated that the crossing button at Old Trail and Winola Road is broken closest to the Railroad.
 - Virginia Kehoe stated that the county has made arrangements for tire recycling again, between September 16th and September 921st. Ms. Kehoe asked if any Council members want to get involved. The cost is \$2 a tire that is the residential cost; our DPW will take the tires to the county. Dominic Scott stated that he would do that again this year. Ms. Kehoe stated that it doesn't go towards our recycling grant but it is on the checklist when we are going for the 904 Grant. Maybe the boy scouts would be able to help also.
 - Herman Johnson asked to have the swearing in of our EMA Director and Junior Council Member be put on the agenda for August as well. If she could contact those two people. Herman Johnson is concerned over the storm water situation and the frequent storms he thinks maybe the EMA Director can see if there are any grants through FEMA for the infrastructure.

4. REVIEW OF AUGUST 5, 2015 AGENDA

5. ADJOURN:

President Carey