

**fBOROUGH COUNCIL SPECIAL MEETING**  
**APRIL 26, 2016**  
**7:00 PM**

The April 26, 2016 Borough Council Special Meeting was conducted on Tuesday, April 26, 2016 at 7:00 P.M. The Meeting was held in Borough Council Chambers, 2<sup>nd</sup> Floor, 304 South State Street, Borough of Clarks Summit, County of Lackawanna and Commonwealth of Pennsylvania. Council members in attendance were Mr. Bob Bennett, Mr. Herman Johnson, Mr. Patrick Williams, Mr. Dominic Scott, Mr. Vincent Cruciani, Mayor Patty Lawler, Borough Manager Virginia Kehoe, and Solicitor Rogan. Absent from the meeting was Mr. David Jenkins, Ms. Gerrie Carey and Junior Councilmember Christian Orlando.

**1. WORKSESSION:**

**President Carey**

**2. PUBLIC COMMENT**

**President Carey**

Barry Kaplan from ABPA and Everything Natural spoke to Council. He thanked Council for their support with the medication take back event where Councilman Williams, Officer Williams and Officer Shedlock attended. There was a lot of interest in this type of program. Mr. Kaplan discussed the parking meter issue in the Borough. He is getting a lot of complaints from the public. Their store has tried to be proactive, in their newsletter they included a section letting people know about putting money in the meter. People have not fed meters for well over 30 years and they have been trained that is ok. People from other towns not informed that the meters are being enforced and they are complaining about getting tickets. Mr. Kaplan suggested possibly do a grace period where people get a warning, instead of a ticket so they know that the meters will be enforced. Mr. Kaplan also suggested not ticketing on Saturdays, have free parking on Saturdays. Herman Johnson stated that he brought up two good points. To track the warnings may be difficult; they will take that under advisement. Mr. Johnson stated that he would talk to the president of council and they can discuss this in a work session to see what they can do with that. Mr. Johnson suggested putting an article in the Scranton Times informing other people that we are enforcing the meters. Herman Johnson stated that by not enforcing the meters there has been revenue lost for safety programs. Mr. Johnson disagrees that this parking situation has been discussed three times that he knew of, but he thinks the ABPA has to give their feedback and no one came from the ABPA to see what can work for all of us. They want people coming to every store in the Borough. See if they can tweak the 6 month trial period. Mr. Kaplan suggested a grace period; if council wants to make that suggestion that is fine, but even a blanket grace period, maybe a 3 month period, maybe a month. Long enough so the core of people get one shot to get a warning if they don't feed the meter. If we inform the general public through the paper and suspend Saturday, need to bring this up at a work session. Bob Bennett suggested a sign by the register warning of the parking enforcement. They had a sign on the door for that purpose. The Borough Manager will contact him when they will discuss this at the work session. A member of the ABPA will try to be there for the Council meetings.

Dori Waters addressed Council asking if they had any questions. Council did not.

Jose with LUX Personal Training shares the same concerns with Barry Kaplan; Maybe signage with updates on the parking meter enforcement if the budget allows. Vince Cruciani stated that he agrees and said having meters that show what days and times the meters are

enforceable would be helpful. All that you would need is a sticker that shows the information. Virginia Kehoe stated that we have those stickers ordered for the new meters. Maybe after we get them on, that could be the grace period. Pat Williams stated that George Carros is putting them on, not yet. Herman Johnson stated that they are going to set up a time and a date and have the business people come in, we have some good suggestions and everything we do we have to fine tweak it. Council wants their input. Mr. Kaplan stated that Barrett Street meters, many do have signage with the hours, and sometimes it's obscured by the glass if it is not clear. Make sure the information is readable.

- **Shade Tree Commission semi-annual update:** Donna Zagrapan gave semi-annual report to Council. Administration, Tree City working with Virginia Kehoe and engineers on the two grant applications. Permits, inspections, presentations to Council, Pocket Park, Arbor Day planning, Arbor Day planting and the articles in the Suburban. This has to go to Tree City to be certified every year. They need the plan of all of the tasks that they have done, they need more information than this, and it is just a summary. The value of all of the tasks that the Shade Tree Commission did was \$9,422. Trees and volunteer time and the DPW labor for tree pickup and delivery and leaf cleanup and they reported a value of \$19,380. In 2016 they are going to do the Suburban column; they are working on Arbor Day right now, Grant administration if they can get a grant for the free trees at the end of the year and potentially the grants that they are working on. Budget spending, planning, Commission reorganizations since she will be leaving in the next couple of months. Permit approvals, Tree City USA certification and Council presentations. Herman Johnson thanked the Shade Tree Commission for the hard work they have done. You can see that going through town. Mayor Lawler asked if the amounts are in kind. The answer was yes. Mayor Lawler asked what the issue was with the mulching in the pocket Park. Donna Zagrapan stated that the problem is using the plastic bags, which prevent the water from going into the trees. You would need to use landscape fabric that lets the water go in. She will get around to doing the mulching. Ms. Zagrapan will contact Mayor Lawler. Pat Williams asked if they had removed any dead trees. 20-30 tree removals, people like the memorial trees, no money to remove trees. He was asking about trees that the Shade Tree planted. She did remove one dead tree herself that she planted by Formosa. If they find one that they did take down.
- **Employee Handbook:** Herman Johnson stated that Council and the Mayor received a copy from the Borough Manager. Mr. Johnson stated that if any Council people have question or comments please let them know before this is finalized. Virginia Kehoe stated that the risk management company that supplied them with the sample, their labor lawyer helped draft the handbook.
- **Summit Avenue Property – sale/deed restrictions:** Vince Crucian stated that the Borough was going to ask Ms. Dennison for \$12,000 with the 120 square foot restriction on the property. Virginia Kehoe stated that she would contact Ms. Dennison about this. Mr. Cruciani stated that if it does happen, maybe offer the Shade Tree to put trees on there, if she wants them.
- **Resolution 2016-06 Resolution Opposing House Bill 340 Recording Executive Sessions:** Vince Cruciani stated that this was not voted on until Council members were able to read the legislation. They can vote on this at the next meeting. Mr. Cruciani asked Virginia Kehoe to circulate the actual bill itself. Mr. Cruciani stated

that all it really says is that the Solicitor has to approve the executive session and if the Solicitor is unavailable the presiding officer can make that decision, it narrows executive sessions on topic but not by a lot, they have to be recorded but private for one year. Pat Williams stated that the PSAB is against this. Herman Johnson stated that we should have the actual bill to review it to know what they are voting on.

- **Asst. foreman:** Herman Johnson stated that our foreman is possibly leaving at the end of the year for health reasons; we want the assistant foreman in there so they can make the right decisions on what they have to do to keep our town going as far as the DPW goes. There will be a vote on that at the next Council meeting. The vote will be to activate the position of assistant foreman up to December 31, 2016. We will not vote on the person that will fill this. It is in their contract that they have an assistant foreman, which is usually the senior man. Vince Cruciani stated that person is paid at a different rate. This is a union position; Herman Johnson stated that the only nonunion position is the foreman. Bob Bennett asked if we have written verification that the Foreman will be leaving at the end of the year. Herman Johnson said verbally. Mr. Johnson stated they can discuss this more in an executive session because it is a personnel issue.
- **Donations: Florence Ave, Marion Ave and Front Street properties:** Virginia Kehoe had two questions based on the last meeting. The property being offered to the Borough from Andrew Weinberger is between Formosa and the Front Street Park, bordering on State Street down to the corner of Fairview and Front Street, it is a wooded lot right now. The property at Front Street still needs to be voted on and the title needs to be researched by the Solicitor. Vince Cruciani stated that there is some discrepancy in the lot description with the most recent deed to the previous deed on Florence. It is being worked on. Vince Cruciani stated that when we do move all of these and if the conservation easement on the property was there when the sell occurs we should accumulate the acreage and note what the Borough has committed as conservation acreage to the public. When the donations are settled then a thank you note will go out.

Bob Bennett discussed the alleyway between Electric and Midway and Ms. Kehoe went with him. The alleyway is at the end of defined property lines. Since we don't know who owns that alley and the Borough is taking care of it, he would like to see that researched to find out if the Borough can take possession, then that is extra footage that can be added to our claim for liquid fuels. Herman Johnson stated that he would table this because the Borough is starting to acquire a lot of land all at once, he thinks they need to back up a little bit, slow down so that they know what they are actually doing. Mr. Johnson stated that Mr. Bennett and Ms. Kehoe went out and researched that, which is great but we have so many properties that we are trying to acquire at once. Ms. Kehoe suggested that when they are done with the properties, maybe a committee can get together and discuss all of the alleys and decide what we want to be responsible for and what we don't. Mr. Johnson stated that years ago Attorney Preate started this and backed out of this, because a lot of these properties, people were maintaining and they were given the right that is their property now. Ms. Kehoe stated that she would like to formally abandon those alleys. Bob Bennett suggested that this is researched. Vince Cruciani stated that you will be able to research it back to the initial deed from the property that it was subdivided from, but you are going to have to go back a little bit because that is from the 1930's and 1940's neighborhood, you are not going to be able to get those on line. Others may

be a private shared road for everyone that has an equitable interest along the road. Mr. Cruciani stated that you would have to get the signatures of everybody with the equitable interest to turn the road public and then you would have to maintain the roads. Ms. Kehoe stated that she is looking more the other way, these places where they have the equitable rights, she would rather that is made clear to them so the Borough would not be responsible for them. Vince Cruciani clarified that if Mr. Bennett can identify the alleys and then identify the proprietorial interest in the alleys, and then give a full report. Ms. Kehoe stated that she has a spread sheet that they can work on. Mr. Cruciani stated that once Mr. Bennett has the deeds he would be happy to look at them.

- **Estimates for police bicycle:** Herman Johnson stated that Sicker's is going to donate a police bicycle to our police department. Estimate of the cost of items that need to be put on the bicycle that comes to \$862.95. Mr. Johnson suggested forwarding this to the Finance Committee to see. Vince Cruciani, we have the money to do this, the Chief saved about \$2,700 by cleaning the floors instead of replacing them, but he didn't think it was appropriate to shift money that wasn't specifically line itemed. Mr. Cruciani stated that he thought it would be more appropriate for Council to vote a direct expenditure next month rather than move money from one allocation to one that wasn't budgeted. Herman Johnson agreed, they will vote on it next month. Mr. Johnson stated that they sat down and gave everyone a dream list, just because you have money left over, that doesn't mean the department head shifts it over that would be wrong. This is why he said they should be getting reports monthly if they are over or under, this is how we manage our money better. Generate a letter of thanks to Sickler's. Vince Cruciani suggested that the owner come in next week with the bicycle and get a picture with the Chief and the Mayor.
- **Replace Dan Kontz on ARWA board:** Herman Johnson stated that Council should consider who they want to replace and whoever they appoint they need to sit down with that gentleman and let him know what we expect out of him for the Clarks Summit Borough. He is also the chair of the Vacancy Board. Mr. Johnson suggested a letter of thanks to Mr. Kontz for his service.
- **Strawberry Run committee request:** Herman Johnson suggested that the Chief get with this committee and make sure all of our safety concerns. Maybe the Fire/Police can get out there too to help. Mayor Lawler was concerned that they are requesting that the laminated signs be on the meters for a long time. May 27<sup>th</sup> – June 18<sup>th</sup>. They will wear and tear, suggest 2 weeks out to put the signs up. Pat Williams agrees. Herman Johnson stated that she came up with a good suggestion, he thinks it should be two weeks out and we have to ask them if they are going to maintain them, if they don't then we don't want the signs up. The chief can get back to us about this.

### 3. REVIEW OF MAY 4, 2016 AGENDA

### 4. ADJOURN:

President Carey