

**BOROUGH COUNCIL SPECIAL MEETING**  
**JULY 26, 2016**  
**7:00 PM**

The July 26, 2016 Borough Council Special Meeting was conducted on Tuesday, July 26, 2016 at 7:04 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 Ms. Gerrie Carey, Mr. Bob Bennett, Mr. David Jenkins, Mr. Patrick Williams, Mr. Herman Johnson, Mr. Dominic Scott, Mr. Vincent Cruciani, Mayor Patty Lawler, Borough Manager Virginia Kehoe and Solicitor Mulhern.

**1. WORKSESSION:**

**President Carey**

**2. PUBLIC COMMENT**

**President Carey**

- **Open Paving Bids:** Virginia Kehoe opened bids for the paving project. Low bidder is Pennsy Supply with a bid of \$662,097.00. Ms. Kehoe stated that she will send the bids over to the Engineer for his review to make sure that the bids meet the specs. The bids came in a lot higher than they were prepared for so they are going to have to work on the paving list. Vince Cruciani stated that if they pulled money out of the Capital Reserves that could defray that margin because it is sewer related. If we needed to add on to the budgeted \$500,000 part of it could come from that. Herman Johnson stated that we usually camera the lines before we pave and maybe the sewer would be able to pay that. Ms. Kehoe stated that the cameraing is not part of the bid. They can all meet on Friday to go over the paving list, etc.
- **Bissell Street Lighting:** Virginia Kehoe stated that she sent out 7 certified letters to affected neighbors 6 were picked up, one was not. But the one was Eric Williams. Of the 6 only 2 people responded to the certified letters one person was fine with the light the other person was completely against the light. His property would be most affected. David Jenkins recommends that they respect the wishes and not put up an additional street light. Herman Johnson suggested that they vote on this at the next council meeting.
- **Payment Services Network:** Virginia Kehoe stated that on our website there is a link where people can pay by credit card. Our contract expires soon, it's free to us but there is a charge for those who use it. Another company approached us with a different offer where it is less expensive for the people who pay to use this service. There is no cost to the Borough. Herman Johnson suggested putting this on the agenda. Vince Cruciani asked if someone came into the office and wanted to use a credit card. Ms. Kehoe stated that we tell them they need to go online to make a payment. That way we are protected from seeing anyone's credit card numbers. This is unavailable for property taxes. Herman Johnson stated that it seems like a good deal, anything that is going to help our citizens out we should look into, have the solicitor look into this.
- **Stormwater in state ROW:** Virginia Kehoe stated that the state owns State Street and Grove Street. But they have an inconsistent policy where they say that the Boroughs are responsible for the stormwater in their roads, but the townships are not. The state is responsible for the storm water in a township. The storm drain next to the

- carwash by Kost Tire is ours; across the street is the state's responsibility. They impose permit fees and high costs to do the work on the state roads. David Jenkins asked if they had any luck in his suggestion of calling Rep. Kavulich. Ms. Kehoe stated that she contacted Steve Armillay and Larry West and they were going to work on it. Herman Johnson stated that we have always had problems with these intersections; we have contacted the state and gotten nowhere. How they are going to deal with it they don't know. Look at the whole picture, there are a lot of pipes that are coming off the side streets that are big and then the cross over the pipes are small, and that's the problem right there. It's a shame that municipalities have more to do than what townships do; it has been an existing problem for years. David Jenkins stated that we have a lot of water runoff coming from Clarks Green Borough that comes down near Lansdowne. Ms. Kehoe stated that we have a few intersections that need some serious work and if we are going to have to do it we are going to have to seriously consider financing and budgeting for it. Some of this drainage is on private property. Herman Johnson stated that he agrees with Davie Jenkins, the drainage starts in South Abington, then goes through Clarks Green then ends up in Clarks Summit. The stated was putting pipes in a couple of years ago and we said no they can't do that. Highland and State, the pipe is too small, the pipe is our responsibility that is where the flooding is happening. We have to start thinking wisely and putting more money in the capital reserve to fight this challenge. EMA Directors, have been talking about these problems and the state has done nothing. Vince Cruciani suggested contacting the PSAB to see if they have any information. Herman Johnson stated that they should push the PSAB to start a class action, and then they might have a fighting chance. Vince Cruciani stated that he agrees about sending a letter to the PSAB. Mr. Cruciani stated that where he thinks that we have an opportunity to win has to do with the state trying to commandeer us to take responsibility for the pipes in their roads. But not allowing us the latitude to reconstruct the roads. David Jenkins stated that it is ludicrous that PennDOT is telling us that they are not going to do it but they are mandating us and they have to approve the specifications on how we are going to do it. Vince Cruciani discussed the option of changing from a Borough to a Township. Solicitor Mulhern will need to research the status of Borough vs. Township. Virginia Kehoe will work on the letter to the PSAB. Herman Johnson asked if we would lose federal funding, not sure need to weight the risk vs. reward.
- **Paving estimates for Carnation Park Basketball Court:** Virginia Kehoe stated that she contacted 4 black toppers and received 3 quotes. The lowest is from Abington Paving which came to \$5,950. Vince Cruciani stated they wanted this done before the building of the raingarden. Virginia Kehoe stated that they have to decide if there is money to pave this year or wait to budget this for next year. The Finance Committee should meet to discuss this. The measurement of the basketball court is 40 x 80, 3200 square feet. David Jenkins suggested Virginia Kehoe make a phone call to Kevin Kelly, it will probably not happen until early next year and ask him if he will keep the same price. Put it on the agenda to get it approved for the spring. Herman Johnson stated that he would like to see our money from that grant come in and have it in hand. They can talk about it more next week. Vince Cruciani suggested locking the price through May just to give a little latitude.
  - **Summit Ave appraisal:** Virginia Kehoe asked Chris O'Boyle for a price but he hasn't gotten back to her. They are working on the appraisal.

- **Len Wesolowski resignation:** Virginia Kehoe stated that Mr. Wesolowski has been with the Planning Commission from 2006. He is also a representative on SAPA. Ms. Kehoe stated that an alternate for SAPA does not need to be from the Borough. Gerrie Carey suggested Shannon Brown as a replacement. Herman Johnson suggested putting Len Wesolowski's resignation on the agenda and voting on Shannon Brown or whoever they want. Herman Johnson asked that a thank you letter be written and given to him.
- **CDBG N State St Project – update:** Virginia Kehoe stated that John Petrini dropped a lot of surveys in mailboxes; he didn't get a lot of response. He does not have access to his files until Monday, he made an appointment to go door knocking with Virginia on Monday.
- **Property donation updates – Marion/Florence:** Solicitor Mulhern stated that Marion Street they have a title search request out for bid.

**3. REVIEW OF AUGUST 3, 2016 AGENDA**

Vince Cruciani asked Solicitor Mulhern if the Senior Center/Telespond, he thinks the formatting needs to be a little different, with a "whereas" clause, a "now therefore" clause, if he sees any kind of liability, maybe add in a paragraph in. Mr. Cruciani stated that all the terms are good, we need it put into a bigger legal format, in a contract form. Council will receive a formal copy of the document first before voting on it. Vince Cruciani stated that they need an executive session with the Council on this and also for the Police Contract. Bob Bennett asked about the employee handbook. Solicitor Mulhern stated that it would take about 10 hours and then he would like the Labor Solicitor to review everything. Mr. Bennett also asked about adding the additional mile onto the Liquid Fuels.

**4. ADJOURN:**

**President Carey**

Council went into an executive session