

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, FEBRUARY 5TH 2003
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The February 2003 Meeting of Borough Council was held on Wednesday, February 5th 2003 at 7:00 P.M. The Meeting was conducted in Borough Council Chambers, 2nd Floor, 304 South State Street, Clarks Summit, County of Lackawanna, Commonwealth of Pennsylvania. Members present were Council President Edward M. Bush, Sr., Council Vice President Donald H. Moyer, III, Councilman Robert Bennett, Councilman Thomas Bradley (arriving late), Councilperson Gerry Carey, Councilperson Linda Jenkins, and Councilman Patrick Williams. Also attending were Mayor Robert Kester, Chief of Police Joseph English, Solicitor Ernest D. Preate, Jr. and Borough Manager/Secretary James G. Vones Sr.

There being a quorum present the Meeting was called to order by President Bush followed by a moment of self-directed meditation. There then followed the Pledge of Allegiance to the Flag.

RESOLUTION PRESENTATION:

Carole Perry and Family

President Bush made a presentation to Mrs. Carol Perry. Resolution 2003-02 honored Mayor Tony Perry for his service to the Borough.

APPROVAL OF AGENDA:

The Agenda for this night's Meeting was approved prior by the Council President.

APPROVAL OF MINUTES:

Regular Meeting December 4th 2002

Motion by Mr. Moyer to approve the Minutes of the December 4th 2002 Council Meeting. Second by Mrs. Jenkins. Discussion – None. Motion carried 6-0.

Public Hearing & Special Meeting December 11th 2002

The Minutes of the Public Hearing and Special Meeting (2003 Tax Rate & Budgets) held on December 11th 2002 were not yet prepared, and this matter was tabled.

Re-scheduled Regular Meeting January 8th 2003

The Minutes of the Regular Council Meeting of January 8th 2003 were not yet prepared, and this matter was tabled.

BIDS & QUOTATIONS:

2003 Road Material – 2A Modified

The only response to the Borough's Request or Quotation was received from State Aggregate. Motion by Mr. Moyer to award the 2003 2A Modified @ \$7.58 per ton to State Aggregate. Second by Mrs. Carey. Under discussion, this award would be made after the DPW' Foreman's review of the response. Motion carried 7-0.

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BOROUGH TREASURER'S REPORT:

The Borough Treasurer's Report for the month of January 2003, as prepared by Dee Ann Stephens was before Council. Motion by Mrs. Jenkins to accept the Report as presented. Second by Mr. Moyer. Discussion – None. Motion carried 7-0.

COMMITTEE REPORTS:

Chairperson Linda Jenkins of the Council Personnel Committee requested an Executive Session following this Meeting.

POLICE REPORT:

Mayor Kester gave the Police Report for the month of January 2003.

Chief English reported that Officers Kopicki and Shedlock had done a great job with the burglary on Ridge Street and the capture of a suspect, working with the Pennsylvania State Police Crime Scene Squad.

Chief English also reported an anonymous donor had given the Police Department another defibulator unit and now there was one in each of the marked cars.

BILLS TO BE PAID:

Motion by Mrs. Jenkins to pay the current obligations, \$2,058.66 from the Payroll Account and to approve the payment of bills between January 2nd and January 29th 2003, \$ 123,148.42 from the General Fund and \$ 36,993.72 from the Payroll Account. Second by Mr. Bennett. Discussion followed. Mr. Moyer stating he would be abstaining from the payment of all water company bills and Roto-Rooter bills in 2003, just to get that into the record. Mayor Kester said he would likewise for all printing bills. Except as noted, motion carried 7-0.

OLD BUSINESS:

None

NEW BUSINESS:

Abington Senior Citizens Center:

Mr. Charles Hammond reported on activities between July 1st and December 31st 2002. He reported on the number of meals served and the assistance the seniors had received from Mary O'Donnell (Telespond Staff). He reported that fourteen different types of activities are available to the seniors. He stated free blood pressure testing is provided the first of each month and bone density testing is offered once a year.

President Bush thanked Mr. Hammond for his report and his volunteer service as liaison between the Center and the Council.

Professor/Mrs. Appleton asked how much money Telespond got from the Lackawanna County Area on Aging? Over \$90,000.00 per year! Does this Borough Audit the Center's funds? This Borough get anything back, the Borough taxpayers support that Center.

Appointments To Borough Planning Commission:

Mr. Bradley nominated John J. Durdan, Jr P.E., based upon his letter of interest, to the Borough Planning Commission. Second by Mrs. Jenkins. Discussion – None. Motion carried 7-0.

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Motion by Mrs. Jenkins to nominate Colin Fanning to the Borough Planning Commission. Second by Mr. Bennett. Under discussion it was noted that Mr. Fanning was present this evening and would accept this appointment. Motion carried 7-0.

Fire Company – Request for Waiver of Fees (Land Use, Bldg Permit, and Sewer Permit):

A request from the Clarks Summit Fire Company No. 1, Inc. was before Council to waive all fees relating to the construction of the new firehouse on Bedford Street. Motion by Mr. Bradley. Second by Mr. Moyer. Under discussion it was noted that the Land Use review fees, building permit fees, etc. would be waived now, and once built the Council would consider the waiver of the quarterly sewer fee. Motion carried 7-0.

BOROUGH SEWER OFFICE REPORT:

The January 2003 Sewer Office Report, as prepared by Dee Ann Stephens, was before Council. Motion to accept the Report as presented was made by Mr. Moyer. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

SOLICITOR'S REPORT:

Solicitor Ernest D. Preate, Jr. stated he had nothing to report.

CORRESPONDENCE:

Nothing to report.

EXECUTIVE SESSIONS:

President Bush stated that no Council Executive Session had been held prior and one would be held following this meeting.

PUBLIC COMMENT & INPUT:

Attorney John Appleton of Grandview Street reported on a pending matter that affected Upper and Lower Knapp Road, Grandview Street, and other adjacent residential areas of the Borough. He reported that South Abington Township was planning a zoning change and large subdivision with four cul-de-sacs. One large cul-de-sac would serve a multi-family area and the other three single-family homes. All would enter and exit from Grandview Street. He stated Grandview cannot accommodate that traffic load and would add to the tax burden for this Borough to maintain a street providing access to a South Abington Township Subdivision. He stated that the developer could use Shady Lane Road because of the wetlands and the topography.

Mr. Appleton stated that some residents of the area (in Clarks Summit) attended a South Abington Township Board of Supervisors Meeting. It was not a cantankerous meeting but all sides appear very rigid. There will be +/- 50 homes. With each having two vehicles, plus the School Buses there would be a significant vehicle load added to Grandview Street This road issue is now bubbling in South Abington Township. The Lackawanna County Regional Planning Commission has already approved the Zone Change.

Solicitor Preate asked John (Appleton) if he and affected residents were asking Council to intervene in this matter? There is no Planning Commission, Zoning Hearing Board or Council action on this matter within the Borough.

Mr. Appleton stated he was asking the Council President to speak with the Chairman of the Board of Supervisors (Giles Stanton) about this.

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Solicitor Preate, then there is no official action request before us now? Mr. Appleton, no, not yet.

Mr. Bradley stated that the Borough's Planning Commission should be reviewing this. This added traffic load onto Grandview Street would burden our taxpayers for road maintenance, while South Abington Township received all the tax benefits of these added residential units.

Solicitor Preate stated that a reason exists for the Borough to become involved, and there are two separate issues the first a resident issue which Attorney/Mr. Appleton is explaining about property values, and a second Borough issue involving roads and safety. There will be an impact on this Borough if the development goes forward and uses Grandview Street. This Borough's Engineer should be a witness at any South Abington Township Hearing. This Borough has a legitimate interest in the South Abington Township development.

Mr. Tim Rowland asked if there was not a conflict here, since Bill Karam and his Engineering Firm represented both this Borough and South Abington Township? No response was provided.

Mr. Bradley motioned to authorized Borough representation here and the use of the Borough Solicitor. A yet un-named group of elected officials from this Borough would attend the South Abington Township Meetings relating to this matter. Second by Mr. Bennett. Discussion – None. Motion carried 7-0. The next South Abington Township Meeting on this matter was to be at 6:00 P.M. on February 24th 2003.

ADJOURNMENT:

There being no further business before Council the Meeting adjourned at approximately 8:05 P.M.

Respectfully submitted,

JAMES G. VONES, SR.
Borough Manager/Secretary

EDWARD M. BUSH, SR.
Council President