

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, MARCH 5TH 2003
Page 1 of 3**

The Borough Council Meeting for March was held on Wednesday, March 5th 2003. This Meeting was delay due to a prior Public Hearing and Special Meeting of Council, which was held at 6:300 P.M. The Meeting began at approximately 7:26 P.M. The Meeting was conducted in Borough Council Chambers, 2nd Floor, 304 South State Street, Borough of Clarks Summit, County of Lackawanna, Commonwealth of Pennsylvania. Members in attendance were Council President Edward M. Bush, Sr., Council Vice President Donald H. Moyer, III, Councilman Robert Bennett, Councilman Thomas Bradley, 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 Council President Bush, followed by a moment of self-directed meditation. The Pledge of Allegiance to the Flag followed.

APPROVAL OF AGENDA:

The Agenda had been approved prior to the Meeting by the Council President.

APPROVAL OF MINUTES:

None

BIDS & QUOTATIONS:

2003 Road Material – Bituminous Material (Bid)

Motion by Mr. Moyer, having been duly advertised and publicly opened to award the 2003 Contract to Hanson Aggregate. Second by Mrs. Jenkins. Discussion – None. Motion carried 7-0.

BOROUGH TREASURER'S REPORT:

The Borough Treasurer's Report as of February 28th 2003, prepared by Dee Ann Stephens was before Council. Motion by Mrs. Jenkins to accept the Report as presented. Second by Mr. Bennett. Discussion – None. Motion carried 7-0.

COMMITTEE REPORTS:

Chairperson Linda Jenkins asked for an Executive Session following this Meeting to discuss non-uniform personnel matters.

POLICE REPORT:

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

BILLS TO BE PAID:

Motion by Mrs. Jenkins to pay the current obligations of \$ 2,028.66 from the Payroll Account and approve the payments between February 13th and February 25th 2003 \$ 85,949.71 from the General Fund, \$34,588.99 from the Payroll Account, and \$ 90,263.30 from the Sewer Fund. Second by Mr. Moyer. Discussion – None. Motion carried 7-0.

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, MARCH 5TH 2003
Page 2 of 3**

OLD BUSINESS:

None

NEW BUSINESS:

Appointments To Borough Planning Commission.

To clarify the appointments made at the last Council Meeting, Mr. Durdan would fill the remaining term of Mr. Chris Chermak and Mr. Colin Fanning would complete the remaining term of Mr. Robert Bennett.

Preliminary Land Use Approval – Fieldstone Estates Phase IV

Attorney Joseph O'Brien stated he represented six (6) townhouse owners and they objected to any waivers for Phase IV. He also demanded notification of any action before Borough Council relating to this matter.

Mr. Bradley stated that as currently designed no fire apparatus could go down Hedge Row Run if a car was parked there.

Solicitor Preate stated this was an incomplete submission and should be returned to the Borough Planning Commission.

Motion by Mr. Bradley to return this matter to the Planning Commission as incomplete. Second by Mr. Bennett. Under discussion it was noted that no approval is implied and the matter/submission is incomplete. Motion carried 7-0. A letter would be sent to the Developer, Florey Homes/Florey Lumber.

Preliminary Land Use Approval – Clarks Summit Fire Co. No. 1, Inc.

Motion by Mr. Bradley to also return the Preliminary Land Use Plan to the Planning Commission as an incomplete submission. Second by Mr. Bennett. Discussion – None. Motion carried 7-0.

Resolution 2003-05 – CDBG Funds

Motion by Mr. Bennett to adopt Resolution 2003-05, which would re-allocate Borough Community Development Block Grant Funds (CDBG). Second by Mrs. Jenkins. Discussion – None. Motion carried 7-0.

BOROUGH SEWER OFFICE REPORT:

The February 2003 Report 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.

SOLICITOR'S REPORT:

Solicitor Preate stated he had presented himself at the South Abington Township Meeting regarding the development of the area adjacent to Floral Park in the Borough. Attorney Appleton had represented the residents at that Hearing. He noted that this Borough had not been notified of any changes to the residential area, the impact on roads/traffic, sewers, etc. He stated the Borough and the citizens are on record at South Abington Township.

Solicitor Preate further reported on a pending litigation matter, Jackson vs. the Borough of Clarks Summit and the Police Pension Board.

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, MARCH 5TH 2003
Page 3 of 3**

President Bush asked that he be allowed to work with the Solicitor on this matter since was familiar with it. Council concurred.

CORRESPONDENCE:

Abington Senior Center Letter, re Request for Donation

Motion by Mr. Moyer to make a \$222.00 donation to the Senior Center to support one hot meal for one day. Second by Mrs. Jenkins. Discussion – None. Motion carried 7-0.

Prowell to Borough Letter dated February 25th 2003 re: Emergency Signal

It was determined that the Borough Emergency Warning Siren should be tested and this test well published.

PaDEP advice letter re: new MS4 Permit for Stormwater and March 10th suspense.

Initial application being made for the Borough by the Borough Engineer.

PennDOT to Borough Letter dated February 6th 2003 re: sidewalks at Citizens Savings and request for Borough sidewalk ordinances.

Requested information was provided to PennDOT District 4-0.

PA Auditor General Letter re: State Audit of Police and Non-Uniformed Pension Funds for years 2000, 2001 and 2002. Will start on March 10th 2003

Mrs. Jenkins directed the Borough Manager/Secretary to send a letter to the Don Wilkinson Agency regarding the many complaints about residents not receiving 2002 EIT Tax Forms.

EXECUTIVE SESSIONS:

President Bush announced that n Executive Sessions had been held prior to this Meeting and one would be held during this Meeting, at the request for Mrs. Jenkins.

RECESS:

Council recessed at approximately 8:35 P.M. to discuss non-uniform personnel matters.

PUBLIC COMMENT & INPUT:

None.

ADJOURNMENT:

Council adjourned without any further action on non-uniform personnel.

Respectfully submitted,

JAMES G. VONES, SR.
Borough Manager/Secretary

EDWARD M. BUSH, SR.
Council President