

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, AUGUST 6TH 2003
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The regular Meeting of Borough Council was held on Wednesday, August 6th 2003, following a Public Hearing and Special Meeting for a Conditional Use at Colarusso's Restaurant, Inc. State, Grove and Linden Streets. 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 W. Kester, Borough Solicitor Ernest D. Preate, Jr. and Borough Manager/Secretary James G. Vones, Sr. Chief of Police Joseph English was absent.

There being a quorum present the Meeting was called to order by Council President Bush at approximately 9:00 P.M. Followed by a moment of self-directed meditation and then followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

The Agenda for this night's meeting was pre-approved by Council President Bush.

APPROVAL OF MINUTES:

The Minutes of the July 2nd 2003 Regular Meeting were before Borough Council. Motion by Mr. Moyer to approve the Minutes as presented. Second by Mrs. Jenkins. Discussion – None. Motion carried 7-0.

BIDS & QUOTATIONS:

2003 Borough Paving Project (Bids opened at 3:00 P.M. on Friday, August 1st 2003)

The Bids (having been duly advertised) for the 2003 Borough Paving Project had been opened at 3:00 P.M. on Friday, August 1st 2003. Having reviewed these submissions the Borough Engineer, William G. Karam, P.E. by letter, had recommended awarding the contract to the low Bidder/Hansen Aggregates of Lake Ariel, PA. Motion by Mr. Moyer to award the 2003 Paving to Hansen Aggregate, in the amount of \$89,655.90. Second by Mr. Bennett. Discussion – None. Motion carried 7-0.

2003 Borough Paving/Construction Supervision

Motion by Mr. Bennett to have the Borough Engineer, William G. Karam, P.E. serve as the construction supervisor for the 2003 Paving Project. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

Salvage of 1997 Unmarked Police Car

Having been duly advertised in the Scranton Times/Tribune the salvage of the 1997 Unmarked Police Car, one bid was received and publicly opened. Motion By Mr. Bradley to award the car/as advertised to Mr. Bill Carstensen of 47 Burnett Street, Lyman, SC 29365 for \$1,603.33. Second by Mr. Bennett. Discussion – None. Motion carried 7-0.

BOROUGH TREASURER'S REPORT:

The Borough Treasurer's Report, prepared by Ms. Dee Ann Stephens, as of July 31st 2003 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:

Mr. Moyer reported he was meeting with State Representative Jim Wansacz on August 7th 2003 at 11:00 A.M. at the Borough Building and invited other Councilpersons to attend. The purpose of the Meeting was

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to pursue state funding/grants for stormwater improvements in and around Center and Bedford Street and along Winola Road.

Mr. Moyer also reported that the sewers on Carnation Drive had been fixed and back flow preventors/check valves installed (103 & 105 Carnation Drive).

POLICE REPORT:

Mayor Kester gave the July 2003 Police Report. The Mayor stated the Fire Company, EMA, DPW, and Police all worked together very well during the storm on July 21st 2003 and the response to the public was excellent with flooded basements, downed trees, etc. He further stated the power was slow in being restored to several sections of the Borough, but this was a PP&L response problem, with so many outages.

Mr. Bradley commented that the Abington Council Of Governments (COG) was planning an Emergency Personnel Appreciation Day in October and also noted the collective efforts during the past storm.

Mr. Bradley asked about the status of the Borough's Alarm Ordinance, this issue needs to be re-visited and has been spoken of many times at Council Meetings in the past. He stated there is need for an advisory letter going out of the Police Department on false alarms and education in this matter, including sending persons a copy of the Alarm Ordinance.

Mr. Bradley asked about the Officer Kemp equipment turn-in? The Borough equipment had been returned, but not his Clarks Summit ID. It was also noted that Officer Herman Johnson is currently in an in-active status and still has his badge and ID. The Borough would get these items returned.

BILLS TO BE PAID:

Motion by Mr. Bennett to pay the Borough's bills. There were no current obligations to be paid and to approve the payment made between July 8th and July 31st 2003; specifically from the General Fund \$ 108,356.63; from the Payroll Account \$ 36,637.26; and from the Sewer Fund \$21,011.00. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

OLD BUSINESS:

None

NEW BUSINESS:

Watkins/Hammond report on the Senior Center

Mr. Watkins and Mr. Hammond had left prior and asked to be placed on next month's Agenda.

Watkins report on the ABPA

Mr. Watkins had left prior and asked to be placed on next month's Agenda.

Watkins report on Sister-Cities (Wales)

Mr. Watkins had left prior and asked to be placed on next month's Agenda.

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Preliminary Land Use Approval/Enterprises by CWD (old AA Printery)

Motion by Mr. Moyer, based upon the recommendation of the Borough Planning Commission, to approve the Preliminary Land Use Plan of Enterprises by CWD, P.C. at 116 North State Street. Second by Mrs. Carey. Discussion followed.

Mr. Bradley asked if Bill and Eileen Christian had ever made/submitted a Deed, closing the exit/entrance at Highland Avenue. The Borough Manager/Secretary responded no, they had stated they would make the Deed correction, but had never done so. Now they had sold the property to Enterprises by CWD, P.C. who were planning a professional office/dental office at this location.

Mr. Bennett asked about the neighborhood association, had they seen this plan and approved. The Borough Manager/Secretary responded yes. Mr. Bennett asked if Doctor Wiley had provided a written approval. Response was no.

Motion carried 5-2 with Mr. Bradley and Mr. Bennett voting no.

Lackawanna COG/Letter of Intent regarding third party inspections (Pa Uniform Construction Code (UCC)) and a Board of Appeals.

The Lackawanna County Council Of Governments (COG) had sent a letter to the Borough informing them of certain issues, pending with the new Pennsylvania Uniform Construction Code. They were seeking a Letter of Intent from the Borough of Clarks Summit if they wished to join in a joint contract for Third Party Permits/Inspections and a Board of Appeals. Motion by Mrs. Carey to send the letter of Intent. Second by Mrs. Jenkins. Discussion – None. Motion carried 7-0.

BOROUGH SEWER OFFICE REPORT:

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

SOLICITOR'S REPORT:

Solicitor Preate reported he had filed a few Municipal Liens regarding past due sewer accounts, forwarded from Ms. Stephens. He reported he had worked with Mr. Fiebus on the barrier removal at the old WEIS Markets on Front Street. He reported he had gone with John Rebar of E.P. Mancinelli & Associates (Borough C.E.O.) for an on-site visit to Hilltop Drive regarding the Suraci property complaint. He had reviewed the letter sent by Rebar to Ms. Jill Davis on Haven Lane regarding that property maintenance complaint. (It was noted here that the property had been sold at Sheriff Sale and was no longer in the possession of Ms. Davis. He had reviewed the parking issue at the old WEIS Market and the proposed new Waffle House Land Development.

CORRESPONDENCE:

The Borough Manager/Secretary reported on the following correspondence:

A July 11th 2003 letter from Sewer Authority to PaDEP re: confirming acceptance of corrective action plan by PaDEP.

A July 15th 2003 Incident Report from Clarks Summit Borough Emergency Management re: Possible False Alarm at Hayes/McDade Apartments.

A July 21st 2003 Incident Report from Clarks Summit Borough Emergency Management re: Storm damage.

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A July 24 2003 letter from Attorney Bill Jones re: 1998 RFB (Request For Bid) on Disc in Word Perfect format.

EXECUTIVE SESSIONS:

Council President Bush reported there had been no Executive Sessions held prior to this evenings meeting and none were scheduled.

PUBLIC COMMENT & INPUT:

Mrs. Jenkins observed that the area around Haven Lane had a parking problem. A few years ago this area had been posted with no parking signs. This was done to preclude High School Students who took cars to the High School on Nobel Road from parking all day long in the area. Now with this parking restriction, and many families having multiple cars, they are forced to park on their lawns/front yards. Discussion followed about the possible use of a Permit Parking restriction. No action was taken beyond general discussion.

ADJOURNMENT:

There being no further business before Borough Council, the Meeting adjourned at approximately 10:05 P.M.

Respectfully submitted,

JAMES G. VONES, SR.
Borough Manager/Secretary

EDWARD M. BUSH, SR.
Council President