

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 1, 2006
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The regular February Meeting of Borough Council and a Public Hearing and Special Meeting on Resolution 2006-13 Authorizing Small Borrowing was conducted on Wednesday, February 1, 2006 at approximately 7:03 P.M. The Meeting was held in Borough Council Chambers, 2nd Floor, 304 South State Street, Borough of Clarks Summit, County of Lackawanna, Commonwealth of Pennsylvania. Council members in attendance were Council President Donald H. Moyer, III, Council Vice President Timothy D. Rowland, (arrived late) Councilman Richard W. Armbrust, Councilperson Gerry Carey, Councilman Roy Davis, Councilperson Margaret (Peg) Jackson, and Councilman Patrick Williams. Also attending were Mayor Harry Kelly., Borough Solicitor, Frank Bolock, and Borough Manager/Secretary, Barbara Grabfelder. There being a quorum present the Meeting was called to order by Council President, followed by a brief period of self-directed mediation and then the Pledge of Allegiance lead by Mayor Kelly.

PUBLIC HEARING/SPECIAL MEETING – Resolution 2006-13

Resolution 2006-13 – Authorizing small borrowing for capital purposes to borrow \$125,000 in order to finance the cost of acquiring equipment specifically a 2006 Ford F-550 truck with tailgate spreader and nine foot snow plow and a 2005 Case 580 Super M+ Series II 4WD Loader Extendahoe. The public hearing/special meeting was properly advertised in the Abington Suburban newspaper. Solicitor Bolock presented the background information on requirements for small capital borrowing.

Vice President Rowland arrived at this point at approximately 7:12 PM.

Motion made by Mr. Roy Davis, seconded by Mrs. Carey to adopt Resolution 2006-13 and authorize the Borough to borrow \$125,000 in order to finance the cost of acquiring the equipment. Discussion: President Moyer stated that the equipment will be paid off over a five-year term and that the Ford F-550 truck/snowplow will be repaid using liquid fuels money and the Case Loader Extendahoe will be repaid using sewer fund money. The money will not be coming out of the General Fund. Mr. Davis thanked Mrs. Grabfelder and Mr. Bartholme for their diligent work on researching the equipment and the financing. Motion carried 7 – 0.

PRESENTATIONS:

Mr. Ken Iiams, Project Coordinator for Clarks Summit Borough EMA, gave a presentation on the CERT Program, (Community Emergency Response Team). Mr. Iiam's team is urging Lackawanna County to apply for a grant through Homeland Security to fund the CERT Training Program. They also put together material to be distributed to the press to attempt to make residents aware of what can happen during a pandemic outbreak such as the Bird Flu and what actions they can take to help lessen the impact.

APPROVAL OF AGENDA:

Motion made by Mrs. Jackson, seconded by Mr. Armbrust to approve agenda. Discussion: None. Motion carried 7-0.

Special Meeting – Community Development Block Grant Money – Ernie Cicillioni

Mr. Moyer announced that the annual required special meeting was held previously at 6:30 PM tonight to discuss the use of Clarks Summit Borough's Community Development Block Grant Money. Clarks Summit will be spending the CDBG money to renovate the kitchen and replace the roof at the Senior Center; install handicapped equipped restroom facilities in the first floor area of the Borough Building; install sidewalks, curbing and cuts along Bedford Street to Center and from Center to Winola Road; install handicapped equipped restroom facilities at the Sheridan Avenue Little League field owned by the Borough. This money is administered by Lackawanna County and does not come from the General Fund.

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APPROVAL OF MINUTES:

January 3, 2006 – Organization Meeting – Motion made by Mrs. Jackson, seconded by Mr. Davis to approve the minutes. Discussion: None. Motion carried 7 – 0.

January 11, 2006 – Reconvene of Organization Meeting – Motion made by Mrs. Jackson, seconded by Mr. Armbrust to approve the minutes. Discussion: None. Motion carried 7 – 0.

January 11, 2006 – Regular Council Meeting of January 4 Postponed to January 11, 2006 – Motion made by Mrs. Jackson, seconded by Mr. Davis to approve the minutes. Discussion: None. Motion carried 7 – 0.

PUBLIC COMMENT & INPUT:

None

BIDS & QUOTATIONS:

Salt Contract - Motion made by Mr. Armbrust, seconded by Mrs. Jackson to participate in the Commonwealth of Pennsylvania's annual statewide contract for Sodium Chloride (Bulk Road Salt) Contract #6810-02 that will be effective August 1, 2006 through July 31, 2007 and to request 1800 tons. Discussion: None. Motion carried 7 – 0.

BOROUGH TREASURER'S REPORT

The Borough Treasurer's Report, as prepared by Treasurer Alice Kohn, as of January 31, 2006 was before Council. Motion by Mr. Rowland, seconded by Mrs. Jackson to approve the Report as presented. Discussion: Mr. Moyer stated that the Borough has made the transition to the Quick Books software program as recommended by PSAB and this is the first set of reports generated in the new system. Motion carried 7 – 0.

COMMITTEE REPORTS:

Planning Commission

Patricia Kreidler – Minor Subdivision – 206 Greenwood Avenue – Mr. John Durdan came before Council on behalf on the Planning Commission to recommend approval of a Minor Subdivision for Patricia Kreidler. The plans were reviewed by the Planning Commission at their meeting on January 18, 2006. Motion made by Mr. Rowland, seconded by Mrs. Carey to approve the minor subdivision. Discussion: None. Motion carried 7 – 0.

Recommendation to Evaluate Sanitary Sewer System – Mr. Durdan made a recommendation to Council on behalf of the Planning Commission to do a comprehensive evaluation of the sanitary sewer collection and conveyance system, identify key areas that are at risk and prioritize improvements, eliminate any improper inflow, ask upstream communities to be proactive in the elimination of improper connections of rain leaders, sump pumps and drain tile to the sanitary sewer, eliminate infiltration through immediate repairs of known problems and replacement of aged portions of the system, and provide larger main pipe size or revised routing where necessary. Council thanked Mr. Durdan for his presentation and for his expertise and volunteer work on the Planning Commission.

Clarks Summit-South Abington Joint Sewer Authority – Motion made by Mrs. Jackson, seconded by Mr. Rowland to appoint Attorney Steve Evers to a new five-year term ending 12/31/2010. Discussion: None. Motion carried 7 – 0.

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Civil Service Commission – Motion made by Mr. Armbrust, seconded by Mrs. Jackson to appoint Wesley Dunn, Sr. to the Civil Service Commission for a new six-year term ending 12/31/2011. Discussion: None. Motion carried 7 – 0.

Abington Area Joint Recreation Board (AAJRB) – Motion made by Mr. Rowland, seconded by Mrs. Jackson, to appoint David Klepadlo to fill the vacant two-year term which ends 12/31/06. Discussion: None. Motion carried 7 – 0.

Scranton-Abington Planning Association (SAPA) – Motion made by Mr. Williams, seconded by Mr. Rowland to accept the amount of \$9,484.00 as Clarks Summit Borough's share of the cost of the multi-municipal comprehensive plan and that the amount would be paid from the General Fund over a two-year period. Discussion: None. Motion carried 7 – 0.

Motion made by Mrs. Jackson, seconded by Mr. Armbrust to appoint Vice President Tim Rowland as Clarks Summit Borough's elected official to represent the borough with the Scranton-Abington Planning Association and that an alternate will be named at a later date. Discussion: None. Motion carried 7 – 0.

Abington Council of Governments (COG) – Motion made by Mr. Moyer, seconded by Mr. Davis to appoint Mrs. Geri Carey as the Borough's representative to the Abington COG. Discussion: None. Motion carried 7 – 0.

POLICE REPORT

Chief Vitale gave the January 2006 Police Report, and summary of police related activities.

BILLS TO BE PAID:

Motion made by Mrs. Jackson, seconded by Mr. Armbrust to approve the following payments:

Paid Between January 1 and January 31, 2006:

\$92,105.06	General Fund
\$64,428.49	Payroll
180.96	Sewer
-0-	Capital Reserve Account
-0-	Liquid Fuels

Discussion: None. Motion carried 7 – 0.

OLD BUSINESS:

Border Realty – Mr. Moyer stated that a meeting has been set for Thursday, February 2, 2006 with representatives from Border Realty and the Borough Engineer, Borough Manager, and Mr. Moyer.

NEW BUSINESS:

Annual Report of Tax Collector – Motion made by Mrs. Jackson, seconded by Mr. Armbrust to settle the 2005 Tax Duplicate with the Tax Collector. Discussion: Mrs. Grabfelder reported that the total amount of money that was uncollected for 2005 was \$40,858.43. These taxes were turned over to the County for collection. Mrs. Belch has a collection rate of approximately 96% and has done an outstanding job. Motion carried 7 – 0.

BOROUGH SEWER OFFICE REPORT:

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The January 2006 Report by Virginia Kehoe was before Council. Motion made by Mr. Davis, seconded by Mrs. Jackson to approve the Report as presented. Discussion – None. Motion carried 7 – 0.

DEP Notice of Violation – Mrs. Grabfelder reported that she received a telephone call from Robert Davis, Superintendent of the Clarks Summit-South Abington Joint Sewer Authority on January 26 regarding a Notice of Violation. Mr. Davis then followed up the conversation with a letter indicating that Mr. Leonard Nawrocki, PaDEP Water Quality Inspector, made observations during a recent high flow/bypassing event that occurred on January 18 and 19, 2006, whereby a manhole near the Clarks Summit Fire Company Building was overflowing and two additional violations in South Abington Township. Mr. Nawrocki stated that if you experience a bypass at the plant or in the collection system EPA will most likely impose a system wide restriction on new construction.

Mr. Rowland referenced the letter and asked Mr. Moyer a question: Mr. Robert Davis references a sanitary sewer evaluation study or survey that South Abington and Clarks Green are doing. Is Clarks Summit participating in that? Mr. Moyer answered no. Mr. Rowland asked if DEP could, at a later time make Clarks Summit do the same study? Mr. Moyer answered yes. Mr. Rowland said that it appears the Joint Sewer Authority has applied for PENNVEST funding for that study. Mr. Moyer answered that is correct. Mr. Rowland asked exactly who is paying for the study, the Joint Sewer Authority or the individual municipalities? Mr. Moyer answered he did not know. Mr. Moyer said that the reason Clarks Summit did not participate in that study were: first, we were definitely committed to doing the work along the railroad, second, about ten years ago, this borough did an evaluation of its entire system consisting of smoke testing, camera-ing, etc. Those records cannot be found. Mr. Rowland said it appears to him that they have applied for PENNVEST funds so they WILL be expending Sewer Authority funds to do those studies. Is Clarks Summit being credited on our reimbursement for NOT doing the study now? Or, is Clarks Summit paying for those studies and we're not participating? Mr. Moyer said that to his knowledge, the municipalities will have to pay for those studies. If the Sewer Authority is putting it out, then the municipalities will have to pay them back, individually for each municipality.

Joint Sewer Authority – Mrs. Grabfelder stated that a notice was received from the Joint Sewer Authority of their intent to submit an application to Pennsylvania DEP for a National Pollutant Discharge Elimination System (NPDES) Permit Renewal Application. This permit must be renewed every five years and requires no action by Council at this time.

410 School Street – A resident at 410 School Street sent a letter requesting that the EDU's for his property be reduced from two EDU's to one EDU. The property had been two separate apartments but the owner has now moved back to the property and has converted it back to a single family residence and he will be living there. Motion made by Mr. Roy Davis, second by Mrs. Carey to approve the reduction from two EDU's to one EDU at 410 School Street. Discussion: None. Motion carried 7 – 0.

SOLICITOR'S REPORT:

None

CORRESPONDENCE:

PSAB – Robert C. Edwards Scholarship Foundation – Information was received that a \$1,000 scholarship will be granted to each of the six districts in the state of Pennsylvania. Applications will be judged on knowledge, demonstrated leadership, and community service.

EXECUTIVE SESSIONS:

President Moyer reported that one session was held prior on January 11, 2006 at 6:30 PM for Professional Services and Personnel; one session was scheduled for this evening's meeting to discuss Litigation and Personnel; and none are scheduled subsequently.

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The meeting was recessed at approximately 9:15 PM to move to Executive Session.

President Moyer reconvened the meeting at approximately 10:18 PM.

Mr. Williams left the meeting at this time.

Authorize DROP Program

Motion made by Mr. Rowland, seconded by Mr. Armbrust, to authorize Solicitor Bolock to draw up a new ordinance to provide for a DROP program and properly advertise it. Discussion: None. Motion carried 6 – 0.

Salary Increase for Assistant Borough Secretary, Virginia Kehoe

Motion made by Mrs. Jackson, seconded by Mr. Armbrust to increase the hourly rate for Virginia Kehoe from \$15.00 per hour to \$15.60 per hour for an annual salary based on 2080 man hours of \$32,448 with the increase to begin on her anniversary date of February 28, 2006. Discussion: None. Motion carried 6 – 0.

Change Borough Business Hours – Motion made by Mrs. Jackson, seconded by Mr. Armbrust to change the official Borough office hours from 8 AM to 5 PM to 9 AM to 3 PM for dealing with the public. Discussion: Mrs. Grabfelder stated that all personnel, including the administrative staff, will continue to work their regular hours (administrative staff works from 8:00 AM to 5:00 PM). This will enable the staff time to accomplish tasks. Motion carried 6 – 0.

ADJOURNMENT:

There being no further business before Council the Meeting adjourned at approximately 10:20 PM.

Respectfully submitted,

Barbara R. Grabfelder
Borough Secretary

Donald H. Moyer, III
Council President