

**BOROUGH OF CLARKS SUMMIT
ORGANIZATION MEETING
MONDAY, JANUARY 5TH 2004
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SWEARING OF ELECTED OFFICIALS:

Judge Vito Geroulo, Court of Common Pleas administered the Oaths of Office prior to the Organizational Meeting. Following the Oaths of Office the Judge allowed an opportunity for family photographs to be taken. Oaths were administered to Mayor Wesley W. Dunn, Sr.; Councilman Richard W. Armbrust; Councilperson Margaret (Peg) D. Jackson; Councilman Donald H. Moyer, III; and Councilman Timothy D. Rowland.

ATTENDANCE:

The Organizational Meeting was conducted on Monday, January 5th 2004 at 7:00 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. Members in attendance were Councilman Richard Armbrust, Councilman Tom Bradley, Councilperson Gerry Carey, Councilman Donald Moyer, Councilman Timothy Rowland and Councilman Patrick Williams. Also attending were Mayor Wes Dunn, Chief of Police Joseph English and Borough Manager/Secretary James G. Vones, Sr.

CALL TO ORDER:

The Organizational Meeting was duly advertised in the Scranton Times/Tribune on Saturday, December 13th 2003. Mayor Dunn called the Organizational Meeting to order at approximately 7:10 P.M., followed by a moment of self-directed meditation, followed by the Pledge of Allegiance to the Flag, lead by two Boy Scouts (both sons of Mr. Moyer).

ELECTION OF COUNCIL PRESIDENT:

Mayor Dunn presiding over the elections of Council President and Vice President, open the floor for nominations for Council President. Mr. Bradley nominated Mr. Williams for Council President. Mr. Rowland nominated Mr. Moyer for Borough Council President. Mr. Williams receiving two (2) votes (Bradley & Williams); Mr. Moyer receiving five (5) votes (Armbrust, Carey, Jackson, Moyer and Rowland). By a vote of 5-2 Mr. Moyer was elected Borough Council President.

ELECTION OF COUNCIL VICE PRESIDENT:

Mayor Dunn then opened the floor for nominations fir Borough Council Vice President. Mrs. Jackson nominated Mr. Rowland. There being no further nominations the nominations were closed. By a vote of 5-2 Mr. Rowland was elected Borough Council Vice President.

President Moyer now taking the Meeting. He thanked everyone for their support.

ELECTION OF CHAIRPERSON PRO TEM:

President Moyer then opened the floor for nominations for President Pro Tem. Mr. Bradley nominated Mr. Williams. Mrs. Jackson nominated Mrs. Carey. There being no further nominations the nominations were closed. Mr. Williams received two (2) votes (Bradley & Williams), Mrs. Carey received five (5) votes (Armbrust, Carey, Jackson, Moyer and Rowland). By a vote of 5-2 Mrs. Carey was elected the Council President Pro Tem.

TREASURER'S BOND:

Motion by Mrs. Jackson, second by Mr. Rowland to establish the Borough Treasurer's Bond at Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00). Discussion – None. Motion carried 7-0.

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APPOINTMENT OF ACT 511 TAX COLLECTOR:

Motion by Mr. Bradley, second by Mr. Armbrust to identify the Don Wilkinson Agency of Forty Fort, Pennsylvania as the Borough's Act 511 Tax Collector (Earned Income Taxes and Occupational Privilege Taxes). Discussion – None. Motion carried 7-0.

APPOINTMENT OF DEPOSITORY FOR BOROUGH FUNDS:

Resolution 04-01 (PNC Bank)

Motion by Mrs. Carey, second by Mrs. Jackson to adopt Borough Resolution 2004-01, naming the PNC Bank, N.A. as a Borough Depository. Discussion – None. Motion carried 7-0.

Resolution 04-02 (PLGIT)

Motion by Mrs. Carey, second by Mrs. Jackson to adopt Borough Resolution 2004-02, naming the Pennsylvania Local Government Investment Trust (PLGIT) as a Borough Depository. Discussion – None. Motion carried 7-0.

Resolution 04-03 (Fidelity Discount & Deposit)

Motion by Mrs. Jackson, second by Mr. Rowland to adopt Borough Resolution 2004-03, naming the Fidelity Discount and Deposit Bank as a Borough Depository. Discussion – None. Motion carried 7-0.

Resolution 04-04 (Nationwide Provident)

Motion by Mrs. Carey, second by Mr. Armbrust to adopt Borough Resolution 2004-04, naming the Nationwide Provident as the depository for the Borough's Police and Non-Uniform Pension Funds and identifying the Council President as CAO and Trustee and the Council Vice President as Trustee in both funds. Discussion – None. Motion carried 7-0.

Resolution 04-05 (Commonwealth of Pennsylvania/INVEST Fund)

Motion by Mrs. Carey, second by Mrs. Jackson to adopt Borough Resolution 2004-05, naming the Pennsylvania INVEST Program as a Borough Depository. Discussion – None. Motion carried 7-0.

Resolution 04-06 (PNC For Elected Tax Collector)

Motion by Mrs. Jackson, second by Mrs. Carey to adopt Borough Resolution 2004-06, naming the PNC Bank, N.A. as a depository for the Elected Tax Collector (Judith Belch). Discussion – None. Motion carried 7-0.

Resolution 04-07 (Community Bank & Trust Co./Money Market)

Motion by Mrs. Jackson, second by Mr. Bradley to adopt Borough Resolution 2004-07, naming the Community Bank & Trust Company as a depository for a Borough Depository. Discussion – None. Motion carried 7-0.

Resolution 04-08 (Citizens Savings Association)

Motion by Mrs. Jackson, second by Mr. Bradley to adopt Borough Resolution 2004-08, naming the Citizens Savings Association as a depository for a Borough Depository (currently one \$25,000.00 Certificate of Deposit). Discussion – None. Motion carried 7-0.

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APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER & ALTERNATE CAO FOR PENSION PLANS:

See Resolution 2004-04 above.

OTHER RESOLUTIONS:

Resolution 2004-09 (Federal Surplus Property):

Motion by Mrs. Jackson to adopt Resolution 2004-09, second by Mr. Bradley. Discussion – None. Motion carried 7-0.

Resolution 2004-10 (11th Congressional):

Motion by Mr. Bradley to adopt Resolution 2004-10, second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

DATE OF REGULAR COUNCIL MEETINGS:

It was announced that the monthly Council Meetings would be the first Wednesday of each month (this was a restatement of Ordinance 96-11). If the date was changed a legal advertisement would be made as required by State Law.

LEGAL HOLIDAY/CLOSINGS OF BOROUGH OFFICES:

The following is a listing a Borough Legal Holidays/Closing for FY/CY 2004 (Thursday, January 1st 2004, having already passed was not listed):

President's Day -	Monday, February 16 th 2004
Good Friday -	Friday, April 9 th 2004
Memorial Day -	Monday, May 31 st 2004
Independence Day -	Monday, July 5 th 2004
Labor Day -	Monday, September 6 th 2004
Thanksgiving -	Thursday, November 25 th 2004
	Friday, November 26 th 2004
Christmas -	Friday, December 24 th 2004
New Year's -	Friday, December 31 st 2004

HOURS OF OPERATION/ADMINISTRATIVE OFFICES:

It was announced that the hours of operation for the Borough Administrative Offices would be 8:00 AM to 5:00 PM, Monday thru Friday, except Holidays.

APPOINTMENT OF BOROUGH OFFICIALS:

Borough Emergency Management Coordinator (recommendation)

Motion by Mr. Rowland to recommend to the Lt. Governor, Mr. Herman Johnson, as the Borough's Emergency Management Coordinator. Second by Mr. Bradley. Discussion followed. Mr. Bradley noting that Mr. Johnson has the education and experience to do this job well and would be an excellent choice for the Borough. Motion carried 7-0.

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Borough Engineer

Motion by Mr. Rowland to name William G. Karam and Associates as the Borough Engineer. Second by Mr. Bradley.
Discussion – None. Motion carried 7-0.

Borough Manager/Secretary

Motion by Mr. Bradley to continue James G. Vones, Sr. as the Borough Manager/Secretary. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

Borough Planning Commission/Recording Secretary

This position to be voted on at the Organization Meeting for the Borough Planning Commission.

Borough Zoning Hearing Board/Recording Secretary

This position to be voted on at the Organization Meeting for the Borough Planning Commission.

Borough Solicitor

Motion by Mr. Rowland to name Malcolm Mac Gregor as the Borough Solicitor. Second by Mrs. Jackson. Mr. Rowland stated that Mr. Mac Gregor is the Glenburn Township Solicitor and also the Solicitor to the Abington Township Planning Commission. Mr. Williams observed that Ernie Preate had done a good job as Solicitor and that the Borough was in the middle of the Grandview Street (closing) matter, and that Preate should continue as Borough Solicitor. Mr. Rowland stated that after review, perhaps Mr. Preate could be appointed as a Special Solicitor to continue and/or close the Grandview Street matter. Mr. Bradley observed that a new Solicitor could loose touch with some of the issues he (Preate) is on top of. Mr. Rowland stated that Ernie Preate's experience is mostly in criminal law, and not recently in municipal law and that is what the Borough needs.

Motion by Mrs. Carey to table this matter. Second by Mr. Williams. On the motion to table Jackson – No, Bradley – Yes, Carey – Yes, Rowland – No, Moyer – No, Williams – Yes, Armbrust – No. The motion to Table was defeated.

On the original motion to appoint Mac Gregor Solicitor; Jackson – Yes, Bradley – No, Carey – Declined to vote, Rowland – Yes, Armbrust – Yes, Williams – No, Moyer – Yes. By a vote of 4-2-1(Declining) Mac Gregor was appointed as the Borough Solicitor.

Borough Special Solicitor/Labor:

Accept Letter of Resignation from Goldberg

Motion by Mrs. Jackson to accept, with regret the letter of resignation from Richard M. Goldberg, dated December 11th 2003. Second by Mr. Rowland. Under discussion the Manager/Secretary was directed to send a letter to Attorney Goldberg, accepting his resignation and thanking him for his many years of professional service as a Borough's Special Solicitor/Labor. Motion carried 7-0.

Appoint new Special Solicitor/Labor:

Motion by Mr. Rowland to table the appointment for a new Special Solicitor/Labor. Second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

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Chief of Police:

Motion by Mr. Rowland to table the appointment of the Clarks Summit Chief of Police. Second by Mrs. Jackson. Mrs. Jackson – yes, Mr. Bradley – no, Mrs. Carey – yes, Mr. Rowland – yes, Mr. Armbrust – yes, Mr. Williams – no, and President Moyer – yes. By a vote of 5-2 the appointment of the Chief of Police was tabled.

Codes Enforcement Officer/Zoning Officer

Motion by Mr. Bradley to table this appointment. Second by Mr. Rowland. Discussion – followed. Mr. Armbrust asked if Mr. Bradley knew who the new 3rd Party Inspectors would be? Mr. Bradley advised that is currently being handled by the Lackawanna Council of Governments (COG). The Manager/Secretary advised that the Borough had sent them a Letter Of Intent (to join with that COG) last fall. Motion carried 7-0.

DPW Foreman

Motion by Mr. Bradley to appoint Neil Bartholme as the Borough's DPW Foreman. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

Sewerage Enforcement Officer (S.E.O.)

Motion by Mr. Bradley to appoint Walter Redel as the Borough's Sewerage Enforcement Officer. Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

Treasurer

Motion by Mr. Rowland to table the appointment of the Borough Treasurer. Second by Mr. Bradley. Discussion – None. Motion carried 7-0.

APPOINTMENTS TO BOROUGH BOARDS, COMMISSIONS AND AUTHORITIES:

Abington Area Joint Recreation Board (3 Positions)

Motion by Mr. Rowland to appoint Al Urban and President Don Moyer (elected official) to the Abington Area Joint Recreation Board. Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

Borough Planning Commission (2 Positions)

Motion by Mr. Bradley to appoint Mr. Bennett to the Planning Commission. Second by Mr. Williams. By a vote of 5-2 the motion was defeated. Motion by Mr. Rowland to table the Planning Commission appointments. Second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

ZHB (1 Position)

Motion by Mr. Bradley to appoint Mr. Robert Kranick to another term on the Borough's Zoning Hearing Board. Second by Mr. Rowland. Discussion – None. Motion carried 7-0.

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Chairperson of Vacancy Board

Motion by Mr. Rowland to table this appointment. Second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

Civil Service Commission (2 Positions)

The appointments to the Clarks Summit Borough Civil Service Commission were tabled.

Sewer Authority (1 Position)

Motion by President Moyer to re-appoint Mr. James Ross to another term on the Clarks Summit/South Abington Joint Sewer Authority. Second by Mrs. Jackson. Discussion – None. Motion carried 6-1 (Bradley voting no).

Liaison Positions

Abington Area COG

Motion by Mrs. Jackson to re-appoint Mr. Bradley as the Borough representative at the Abington Council Of Governments (COG). Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

Senior Site Council

Motion by Mrs. Jackson to re-appoint Mr. Warren Watkins to the Senior Center Site Council. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

Wales

Motion by Mrs. Jackson to re-appoint Mr. Warren Watkins as the Liaison to our Sister City in Wales, U.K. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

ABPA

Motion by Mr. Bradley to have Councilman Williams replace Warren Watkins as the liaison with the Abington Business and Professional Association. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

Lackawanna County COG

Motion by Mrs. Carey to have Mr. Williams (must be elected official) be the representative of the Borough on the Lackawanna County Council of Governments (COG). Second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

APPOINTMENTS TO COUNCIL COMMITTEES:

Council President Moyer tabled his appointments to the Council Committees) Administration & Personnel, Building & Plant, Finance, Insurance, Police Pension Board (2 from Management), Public Safety, Public Works & Sanitation, Recreation, and the Safety Committee (2 from Management).

LEGAL ADVERTISEMENTS OF THE BOROUGH:

The Borough Manager/Secretary stated that the newspapers where Legal Ads will be published would be the Abington Journal

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and the Suburban Weekly, whenever possible (due to cost considerations) and as required the Scranton Times/Tribune.

VOTING DELEGATE – PSAB:

Motion by Mrs. Jackson to appoint Council Vice President Timothy Rowland as the Borough's Voting Delegate to PSAB (Pennsylvania State Association of Boroughs). Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

FY/CY 2004 BUDGETS:

The new Council/Finance Committee will re-examine the FY/CY 2004 Borough Budgets and possibly adjust same and the real property tax rates associated with the General Fund. Legal Advertisements and Public Hearing is required (as was done for the December 2003 Public Hearing and Special Meeting).

PUBLIC INPUT/COMMENT:

Mr. Bradley stated he wanted to once again thank Ed Bush, Mr. Bennett, and Mayor Kester for their public service.

Past Borough Solicitor Preate arrives.

Ed Bush stated that Ernie Preate was called and told not to come tonight, that he would not be appointed as Borough Solicitor.

Mr. Charles Martin of Grandview Street. I am here waiving the flag to the new Council. The Borough has supported the residents and we are seeking continued support from the new Council to protect the residents of Grandview Street. This is a serious and safety issue for this Borough. We know the Borough is spending money on this matter and next Wednesday we will have a check/donations from some of the residents to "off set" a portion of these costs.

Mr. Rowland responding, we have been here an hour, give us a chance.

Mrs. Jackson we are all very aware of the issues at Grandview Street.

EXECUTIVE SESSIONS:

Council President Moyer announced that there were no Council Executive Sessions held prior and none were scheduled.

ADJOURNMENT:

There being no further business before the Council's Organization Meeting, motion by Mr. Rowland to adjourn. Second by Mr. Williams. Discussion – None. Motion carried 7-0. The Organizational Meeting of Borough Council was adjourned at approximately 10:20 P.M.

Respectfully submitted,

JAMES G. VONES, SR.
Borough Manager/Secretary

DONALD H. MOYER, III
Council President