

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, JANUARY 7TH 2004
Page 1 of 5**

The regular meeting for Clarks Summit Borough Council was conducted on Wednesday, January 7th 2004. 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, Councilman Richard W. Armbrust, Councilman Thomas Bradley, Councilperson Gerry Carey, Councilperson Margaret D. Jackson and Councilman Patrick Williams. Also attending were Mayor Wesley W. Dunn, Sr. Borough Solicitor Malcolm Mac Gregor, Chief of Police Joseph J. English and Borough Manager/Secretary James G. Vones, Sr.

There being a quorum present the Meeting was called to order by Council President Moyer at approximately 7:00 P.M. The Meeting began with a moment of silent and self-directed meditation followed by the Pledge of Allegiance to the Flag, led by Mayor Dunn.

APPROVAL OF AGENDA:

Motion by Mr. Bradley to approve the Agenda as presented. Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

APPROVAL OF MINUTES:

December 3rd 2003 Public Hearing & Special Council Meeting (Budgets & Tax Rate)

Motion by Mrs. Carey to approve the Minutes of the Council Public Hearing and Special Meeting of December 3rd 2003. This Public Hearing and Special Meeting dealt with the Borough's 2004 Tax Rates and Budgets. Second by Mr. Rowland. Discussion – None. Motion carried 7-0.

December 29th 2003 Public Hearing & Special Council Meeting (MSW Contract)

President Moyer explained the purpose of the December 29th 2003 Special Meeting and that J.P. Mascaro & Sons was awarded the Municipal Solid Waste Contract for the Borough for 2004 to 2008. This would provide trash collection, recycling collection, bulk items collection, just had it had been in the past. Motion by Mrs. Carey to approve the Minutes as presented. Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

BIDS & QUOTATIONS:

None

BOROUGH TREASURER'S REPORT:

The Borough Treasurer's Report, as of December 31st 2003, was before Council. Motion by Mr. Rowland to accept the Report as presented. Second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

PUBLIC COMMENT & INPUT:

Mr. Gene Galagher of Barrett Street stated he had served as the Chairman for the Borough's Recycling Committee many years ago. The Borough at that time had been recognized for its efforts in promoting recycling and did a very good job. He noted that the past Council did not appear to emphasize recycling as much and hoped that the new Council would do better. His committee had sent notices and actively promoted recycling within the Borough. He stated that this recycling tonnage comes back to the Borough in the form of State Performance Grants.

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, JANUARY 7TH 2004
Page 2 of 5**

The Borough Manager/Secretary reviewed past and current efforts in this area. Mr. Galagher still felt more public information should be provided and more Council emphasis. President Moyer asked Mrs. Carey and Mr. Williams to serve on a special Council Committee to watch over recycling efforts. They both accepted this assignment. Mr. Galagher noted that many people in this Borough actively and voluntarily recycle.

COMMITTEE REPORTS:

President Moyer at this point made his Borough Council Committee assignments. Mrs. Jackson would be the Chairperson, and Mr. Rowland and Mr. Armbrust would be on Administration and Personnel Committee. Mrs. Carey would be the Chairperson and Mr. Armbrust and Mr. Williams would be on the Building & Plant Committee. Mr. Rowland would be the Chairman and Mrs. Carey and Mrs. Jackson would be on the Finance Committee. President Moyer would Chair and Mr. Bradley and Mrs. Jackson would be on the Insurance Committee. Mr. Rowland and the Borough Manager/Secretary would be the Borough's appointments to the Police Pension Board. Mr. Armbrust would Chair and Mrs. Jackson and Mr. Rowland would be on the Public Safety Committee. President Moyer would Chair and Mr. Armbrust and Mr. Williams would be on the Public Works Committee. Mr. Williams would Chair and Mr. Bradley and Mrs. Carey would be on the Recreation Committee. On the Recycling Committee, as noted above, Mrs. Carey would be the Chairperson and Mr. Bradley and Mr. Williams would also be on the Committee. On the Safety Committee Mr. Bradley and the Borough Manager/Secretary would be assigned.

POLICE REPORT:

Mayor Dunn gave the December 2003 Report. He noted that during December 2003 there had been seventeen (17) False Alarms responded to, and he was looking into this matter.

BILLS TO BE PAID:

Motion by Mr. Rowland to pay the current obligations \$ 46,720.24 from the General Fund and \$19,865.59 from the Payroll Account. To additionally approve the payment made from December 4th 2003 to December 23rd 2003, \$ 28,194.29 from the General Fund, \$ 17,586.13 from the Payroll Account, and \$ 12,688.69 from the Sewer Fund. Second by Mr. Armbrust. Under discussion President Moyer noted, for the year he would be abstaining on any and all payments to either Pennsylvania American Water Company or Roto-Rooter. Motion carried 7-0.

OLD BUSINESS:

None

NEW BUSINESS:

Resolution 2004-11 – Hemlock Drive Park

The Manager/Secretary ready the proposed Resolution. Motion by Mrs. Carey to adopt Resolution 2004-11, which would rededicate the Hemlock Drive Park as the Mayor Donald Eilenberger Park. Second by Mrs. Jackson. Under discussion this will be a public dedication in the spring of 2004. Motion carried 7-0.

Resolution 2004-12 – Police Pension Withholding FY/CY 2004

The Manager/Secretary read the proposed Resolution. Motion by Mrs. Carey to adopt Resolution 2004-12, which would retain the 2@ payroll deduction for 2004 for full time police officer pension contributions. Second by Mr. Armbrust. Discussion – It was noted that this was done at the recommendation of the Police Pension Board. Motion carried 7-0.

Resolution 2004 – 13 – Mayor Kester

The Manager/Secretary read the proposed Resolution. Motion by Mrs. Carey to adopt Resolution 2004-13 honoring Mayor Robert Kester for his service to the Borough. Second By Mr. Williams. Discussion – None. Motion carried 7-0. Mayor Dunn, also at this time, recognized Mayor Kester's service. Mayor Kester was present and thanked everyone for this Resolution. Motion carried 7-0.

Resolution 2004-14 – Councilman Bennett

The Manager/Secretary read the proposed Resolution. Motion by Mr. Bradley to adopt Resolution 2004-14 honoring past Councilman Robert Bennett for his service to the Borough. Second By Mrs. Carey. Discussion – None. Motion carried 7-0.

Resolution 2004-15 – Councilperson Jenkins

The Manager/Secretary read the proposed Resolution. Motion by Mrs. Jackson to adopt Resolution 2004-15 honoring past Councilperson Linda Jenkins for her service to the Borough. Discussion = None. Motion carried 7-0.

Resolution 2004-16 – Council President Bush

Motion by Mr. Bradley to adopt Resolution 2004-16 honoring past Council President Edward Bush for his service to the Borough. Second By Mrs. Carey. Discussion – None. Motion carried 7-0.

Reconsideration of the FY 2004 Budgets

Motion by Mr. Rowland to reconsider (allowed by State Law) the FY/CY Borough Tax Rates and Budgets. Second by Mrs. Jackson. Under discussion Mr. Bradley felt there was no need to re-visit the Budget and tax rates left by the last Council. Motion to reconsider carried 6-1 (Bradley voting no).

BOROUGH SEWER OFFICE REPORT:

The December 2003 Sewer Office Report as prepared by Dee Ann Stephens was before Council. Motion by Mrs. Carey to approve the Report as presented. Second by Mr. Rowland. Discussion followed. Mr. Williams questioning the high amount of delinquents reported this month. Motion carried 7-0.

SOLICITOR'S REPORT:

Solicitor Mac Gregor gave his report. He thanked Council for his appointment. He stated it was not his practice to "invent" legal matters/issues". He had conferred with the past Solicitor (Ernest D. Preate, Jr.) about the Grandview Street matter. He had spoke with Attorney James Valentine about possibly being the new Borough Special Solicitor/Labor and the pending Police Association Arbitration and pending Act 111 (in 2004). He was reviewing the current Labor situation with the Borough Employees Association. He was just appointed, but he had already started his reviews.

CORRESPONDENCE:

None

EXECUTIVE SESSIONS:

President Moyer announced there had been no Executive Session held prior and none were scheduled following this Meeting but one would be held during this meeting to discussion Grandview Street

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, JANUARY 7TH 2004
Page 4 of 5**

Litigation and personnel issues.

GRANDVIEW CHECK:

At this point Mr. Charles Martin of Grandview presented Council with a symbolic check in the amount of \$1,100.00. He said this money came from donations of people on Grandview and the surrounding areas and was a donation to the Borough to help "off set" the costs associated with Grandview Street. We are asking that the new Council not forget about us. That you authorize Solicitor Mac Gregor to take the necessary action with South Abington Township on January 22nd 2004. That you continue Preate as the Special Solicitor for the Grandview matter, since he is involved and has been.

EXECUTIVE SESSION:

Motion by Mrs. Carey to recess to an Executive Session. Second by Mr. Armbrust. The Meeting recessed at approximately 9:25 P.M.

The Meeting was called back to order and reconvened by the Council President at approximately 10:30 P.M.

Grandview Attorney:

Motion by Mrs. Jackson to continue Ernest D. Preate, Jr. for the Grandview Street matter. Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

Special Solicitor/Labor:

Motion by Mrs. Jackson to engage Attorney James P. Valentine of Rosenn, Jenkins & Greenwald, L.L.P. as the Borough's Special Solicitor Labor at a rate of \$125.00 per hour. Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

Planning Commission Vacancy:

Motion by Mr. Rowland to re-appoint Mr. John Durdan of Knapp Road for a full term on the Borough's Planning Commission. Second by Mr. Williams. Discussion – None. Motion carried 7-0.

Borough Civil Service Commission:

Motion by Mrs. Jackson to appoint and/or re-affirm the appointment of Mr. Paul Doughty to the Clarks Summit Borough Civil Service Commission. Second by Mr. Armbrust. Discussion – None. Motion carried 7-0.

Motion by Mrs. Jackson to appoint Mr. Dominick Scott of Knapp Road to the fill the vacancy created by Attorney Wilson. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

ADJOURNMENT:

There being no further business before this meeting, motion by Mr. Rowland to adjourn. Second by Mr. Williams. Discussion – None. The Meeting adjourned at approximately 10:35 P.M.

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, JANUARY 7TH 2004
Page 5 of 5**

Respectfully submitted,

**JAMES G. VONES, SR.
Borough Manager/Secretary**

**DONALD H. MOYER, III
Council President**