

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, January 9, 2008
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The regular January Meeting of Borough Council was conducted on Wednesday, January 9, 2007 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 and Commonwealth of Pennsylvania. Council members in attendance were President Gerri Carey, Vice President Patrick Williams, Mr. Bob Bennett, Mr. Roy Davis, Mrs. Kathy Drake, Mrs. Barbara Evans and Mr. Herman Johnson. Also attending were Mayor Harry Kelly, Borough Manager/Secretary, Virginia Kehoe, Police Chief Louis Vitale and Solicitor Ernest Preate. There being a quorum present the Meeting was called to order by Council President, followed by a brief period of self-directed meditation and then the Pledge of Allegiance led by Mayor Kelly.

APPROVAL OF AGENDA:

Mr. Johnson moved to approve the agenda. Motion was seconded by Mr. Williams and was approved as presented 7-0.

APPROVAL OF MINUTES:

The minutes for the December 5, 2007 meeting were presented. Mr. Johnson moved to accept the minutes. The motion was seconded by Mr. Williams and carried 7-0.

PUBLIC COMMENT:

Rose Houle spoke regarding the creek behind her home and her desire for said creek to be dredged in order to prevent storm water problems at her home. There was also discussion of the need for the creek to be cleared of brush, debris and rocks. There was discussion amongst Council members regarding the creek, the history of its maintenance and the runoff onto Clarks Summit from South Abington Township. Virginia Kehoe stated her understanding that the work which has just been completed in the previous month should eradicate the problem. Roy Davis spoke and expressed his feelings that the situation should have been remedied in the past and that he believes we must act to remedy it immediately.

Solicitor Preate stated that we should obtain an official engineer's report to determine what the problem is and what needs to be completed to eradicate the water problems before it becomes a legal problem.

There was discussion regarding DEP Permits and whether such permits were obtained. There was also discussion regarding permission to access property owner's land. President Carey asked Virginia Kehoe to prepare a full report indicating what has been done and what can be done according to the engineer's report. Attorney Preate suggested this report also contain permits and releases from residents to access their properties.

Virginia Kehoe was questioned by Council as to whether or not the Borough had obtained permits from the DEP for the work already completed. Virginia stated that the Borough did apply for the proper permits from DEP but that the work had commenced before the permits were received. Mr. Davis stated that he believes if we already started doing work without permits, we should just keep working. Members of council encouraged Mr. Davis to end the discussion and address it in executive session. He insisted that this is a matter to be discussed with public presence.

Carl Noakes stated that he has been falsely accused of permit issues with DEP and has spent \$10,000.00 dollars on engineering and other costs related to the problems. He stated that he believes that the Borough should also obtain proper engineering before continuing beyond the permit already applied for and do everything the legal way.

Mr. Gene Gallagher addressed Council and wished them luck and reminded them that no matter what they are here to work for the best interests of all the people. He then expressed his opinion that this Council needs to keep in mind what is best for all of the people with regard to Grandview Street and he expressed his opinion that no matter how long they keep fighting, they are going to lose.

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BOROUGH TREASURER'S REPORT

The Borough Treasurer's Report, as of December 31, 2007 was before Council. Motion made by Mr. Williams to approve the Report as presented. The motion was seconded by Mr. Johnson and carried 7 – 0.

COMMITTEE REPORTS:

Mr. Charlie Busalacchi spoke on behalf of the Shade Tree Commission. He explained the Shade Tree Commissions latest fundraising efforts, soliciting businesses to sponsor trees. He also stated that there are sites needed to plant the newly donated trees. Mr. Busalacchi stated that do date \$1,553.00 have been raised in this effort.

Barbara Grabfelder gave the report for the Abington Area Joint Recreation Board. She stated that they are creating various partnerships with community groups to further their joint efforts. She also updated Council on the Community Garden. There was discussion of creating a path to the gardens, parking and increased traffic, with Roy Davis expressing his concerns regarding the same. Barbara Grabfelder explained that as a condition to participating in the garden, there would be specific parking regulations.

There was further discussion of a request from AAJRB for early payment of annual dues. It was suggested that the dues be paid in quarterly amounts. Barbara Evans made a motion to pay the annual dues early, and in quarterly amounts. Roy Davis seconded the motion and it carried 6-0 with Mr. Johnson abstaining from the vote.

POLICE REPORT

Chief Vitale gave the December 2007 Police Report, and summary of police related activities.

BILLS TO BE PAID:

Motion made by Mr. Johnson to pay bills as presented. The motion was seconded by Mrs. Evans and carried 7-0.

OLD BUSINESS:

Herman Johnson made a motion to reopen the budget for amendment. The motion was seconded by Kathy Drake and carried 7-0.

NEW BUSINESS:

Dixon Land Development request – County Deemed approved, no action to be taken.

Resolution 2008-01 Thank you to Don Moyer- motion made by Pat Williams and seconded by Herman Johnson to recognize Mr. Moyer's work with the Borough. Motion passed 7-0

Resolution 2008-02 Thank you to Ray Taylor- motion made by Roy Davis and seconded by Pat Williams to recognize Mr. Taylor's work with the Borough. Motion passed 7-0

Resolution 2008-03 Thank you to Jim Colman- motion made by Herman Johnson and seconded by Bob Bennett to recognize Mr. Colman's work with the Borough. Motion passed 7-0

Resolution 2008-04 Thank you to Barb Grabfelder- motion made by Bob Bennett and seconded by Kathy Drake to recognize Ms. Grabfelder's work with the Borough. Motion passed 7-0

Resolution 2008-06 Authorizing PNC bank accounts- motion made by Herman Johnson and seconded by Gerrie Carey. Motion passed 7-0.

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Resolution 2008-07 Authorizing PLGIT bank accounts- motion made by Bob Bennett and seconded by Roy Davis. Motion passed 7-0.

Resolution 2008-08 Authorizing Fidelity bank accounts- motion made by Bob Bennett and seconded by Gerrie Carey. Motion passed 7-0.

Resolution 2008-09 Authorizing Municipal Pension Plan- motion made by Herman Johnson and seconded by Barbara Evans. Motion passed 7-0.

Resolution 2008-10 Authorizing INVEST bank accounts- motion made by Herman Johnson and seconded by Bob Bennett. Motion passed 7-0.

Resolution 2008-11 Authorizing Community bank accounts- after discussion it was decided to table this motion until the February meeting at which time an account that pays interest and has two signors can be adopted.

Resolution 2008-12 Police Pension Withholding continuing at 2%- Motion made by Barbara Evans and seconded by Roy Davis. Motion passed 7-0.

Resolution 2008-13 \$10 charge for fingerprinting

Resolution 2008-14 COLA adjustment for Police Pension- Motion made by Roy Davis to adopt a Cost of Living Adjustment for 2008 and seconded by Herman Johnson. Motion passed 6-0 with Pat Williams abstaining.

Resolution 2008-15 Thank you to James Ross- motion made by Herman Johnson and seconded by Barbara Evans to recognize Mr. Ross's work with the Borough. Motion passed 7-0

Resolution 2008-16 Thank you to Tim Rowland- motion made by Barbara Evans and seconded by Herman Johnson to recognize Mr. Rowland's work with the Borough. Motion passed 7-0

Resolution 2008-17 Thank you to Frank Bolock- motion made by Herman Johnson and seconded by Barbara Evans to recognize Mr. Bolock's work with the Borough. Motion passed 7-0

Resolution 2008-18 Thank you to Joe Ferguson- motion made by Herman Johnson and seconded by Barbara Evans to recognize Mr. Ferguson's work with the Borough. Motion passed 7-0

BOROUGH SEWER OFFICE REPORT:

The December 2007 Sewer Office Report by Virginia Kehoe was presented before Council. A motion was made by Mr. Bennett to accept the report as presented. Mr. Johnson seconded the motion and it carried 7-0.

SOLICITOR'S REPORT:

None.

CORRESPONDENCE:

A Thank you was received from Mr. & Mrs. McNulty

A Thank you from Abington Heights High School

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EXECUTIVE SESSIONS:

ADJOURNMENT:

There being no further business before Council the Meeting adjourned at approximately 9:10PM.

Respectfully submitted,

**Katie M. Bower
Borough Secretary**

**Germaine Carey
Council President**