

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, October 3, 2007
Page 1 of 3**

The regular October Meeting of Borough Council was conducted on Wednesday, October 3, 2007 at 7:02 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 Council President Donald H. Moyer, III, Vice President Gerri Carey, Councilman James Colman, Councilman Roy Davis, Councilman Raymond Taylor, Councilman Patrick Williams and Councilman Herman Johnson. Also attending were Mayor Harold P. Kelly., Police Chief Louis Vitale, Solicitor Frank Bolock and Borough Manager/Secretary, Virginia Kehoe. 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. Taylor moved to approve the agenda. Motion was seconded by Mr. Colman and was approved as presented 7-0.

APPROVAL OF MINUTES: The minutes for the September 5, 2007 meeting were presented. Mr. Taylor moved to accept the minutes. The motion was seconded by Mr. Johnson and carried 7-0.

PUBLIC COMMENT: Jaime Colman, a junior at Abington Heights, asked the Borough's permission to place a collection bin for charitable donations of shoes to be sent to Kenya, in the Borough Building beginning November 1, 2007. This is part of her senior graduation project. Council agreed to allow Miss Colman to place a bin in the lobby near the elevator and also offered to mention her project on the Borough website and electronic board.

Matt Georgetti, of 318 Sheridan spoke about the culvert on Nichols Road. He indicated that there are un-inspected cars parking in culverts, etc. He stated his desire for the culverts to be posted as No Parking and questioned why the Borough would not do that. President Moyer stated that would be a police issue and that in order to issue No Parking in that area an ordinance would need to be created and a Public Hearing would need to occur. Mr. Herman Johnson agreed with Mr. Georgetti and made a motion to arrange for a Public Hearing to address the No Parking issue. Mr. Colman seconded the motion and it carried 7-0.

Mr. Georgetti also expressed his feelings that the roads in Clarks Summit are bad. It was explained to him that the drainage and sewerage work was done and many of the roads will be paved in October.

Bob Esslinger of Roto Rooter explained that his family has been in the Clarks Summit area for 70 years and also maintained a close working relationship with the Borough. He then stated that about two years ago that relationship changed and Roto Rooter no longer gets called for jobs within the Borough; he also explained that he doesn't understand why. He has approached Council members and even submitted a price list at their request and hasn't received any answers. He feels it is a slap in the face to his family, all of whom lives in the Borough and pay taxes that the Borough has brought in other Sewer Companies from out of town and out of state to do work. He stated that he does not believe anyone can be more proficient, professional or cost efficient than he.

Mr. John Hennemuth, Surveyor, spoke. He was present with Gene Kelly, Attorney, both of whom represent Allied Services. Mr. Hennemuth explained that Allied is selling it's properties located at Linden Street and Bedford Street. In completing the survey, Mr. Hennemuth realized that a portion of Bedford Street is on Allied's property. In an effort to fix this problem prior to selling the property, Allied wishes to dedicate the portion of the property which falls on Bedford Street to the Borough. Attorney Kelly brought a Deed, which he had already presented to Solicitor Bolock. Attorney Kelly explained that the process would be simple. An authorized Allied representative would execute the Deed, deliver it to the Borough Solicitor and the Deed would then be filed. Mr. Hennemuth will send a map tomorrow to further explain the situation.

Ray Davis of Barrett Street expressed his disappointment in the Borough not choosing to retain Ernie Preate.

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, October 3, 2007
Page 2 of 3**

Todd Dixon addressed advertising on the Borough's bulletin board. It was explained that community events, non-profit organizations, and fund raisers are posted on the board. Mr. Johnson suggested putting a written policy in effect detailing what can be put on the board.

BOROUGH TREASURER'S REPORT: The Borough Treasurer's Report, as of September 30, 2007 was before Council. Motion made by Mr. Taylor to approve the Report as presented. The motion was seconded by Mr. Johnson and carried 7 – 0.

COMMITTEE REPORTS: Planning Commission has reviewed the Sign Ordinance and has decided that they wish to keep the ban on Roof Signs in place with the language as it is. There was discussion about the language in the ordinance as a whole and debate over the necessity or redundancy of holding another work session.

Pat Williams made a motion to table the ordinance in order to discuss it in more detail at a second work session. Gerry Carey seconded the motion. With a vote of 2 to 5, the motion did not carry.

Jim Colman then made a motion to enact the ordinance as it is. Roy Davis seconded the motion and it carried 5-2 with Pat Williams and Gerry Carey voting against the ordinance.

The Building and Planning Committee update was given by Jim Colman. He discussed the roofing problem and the engineer's recommendation and specifications to rubber over the lower roof and to remove the upper roof. These specifications allowed for three identical bids. Evans and Evans, A to Z and Eastern Roofing, all bid with Evans and Evans having the low bid of \$9800.00 with a ten year warranty. Jim Colman made a motion to hire Evans and Evans to complete the project by November 1st. Gerry Carey seconded the motion and it carried 7-0.

New carpet was installed in the DPW building last month. There are drawings being done for the façade of the DPW building along with the fencing issues which will be brought back to Council once available. The asbestos report that was accepted to be done on the Borough Building should be ready next week. After it is reviewed it will be brought to Council. The bathroom plans have been completed and reviewed. Mr. Colman made a motion to put the work for this project out to bid. The motion was seconded by Mr. Taylor and carried 7-0. Mr. Davis discussed the importance of making the entire building handicapped accessible.

Mr. Colman also discussed repairs being made to the Police Department stairs in the hopes of preventing any further accidents. The committee is also meeting with two architects next month to look at who might be in line for the design of the first floor. President Moyer asked the Committee to also look into the sidewalks on Bedford Street and the Parking Lot at the Little League Field.

President Moyer discussed the drainage issue on Tulip Circle and the necessity for the work to be completed to redirect the water. A motion was made by Ray Taylor to put out for bid the drainage on Tulip Circle. The motion was seconded by Mr. Colman and carried 7-0.

President Moyer also discussed the drainage problem on Old Winola Road from Florence to Old Winola. If the Borough takes a utility easement and the area floods again, FEMA will provide the money to fix the damage. Herman Johnson suggested sending a letter to South Abington Township asking them to clean up their portion of the drainage problem. Mr. Taylor suggested that it could possibly be dealt with by the State if it is within 10 feet of the state roadway. Mr. Johnson emphasized the importance of dealing with all of the surrounding problems, so that the pipe we do install doesn't go to waste by becoming clogged with silt, etc. from other sources. Mr. Taylor made a motion to open the job for bidding, while also contacting the State and South Abington Township. Mr. Colman seconded the motion and it carried 7-0.

Shade Tree Commission updated Council on their recent meeting, on the tree removal project and on the joint project with Clarks Green Borough. Abington Joint Recreation Board will be planting 40 trees along Route 307. They also have completed the Handicap Fishing Pier. The parking area and pathways at the park will also be

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, October 3, 2007
Page 3 of 3**

handicapped accessible. Mr. Herman Johnson commended the Shade Tree Commission on all of their hard work and success.

POLICE REPORT: Chief Vitale gave the September 2007 Police Report, and summary of police related activities. There was discussion with regard to the speed sentry and speeding on side roads such as Bedford Street. There was discussion about using Stop Signs, etc. to remedy speeding problems in the Borough and where such signs would be placed. There was also discussion with regard to the timing of the paving project on State Street.

BILLS TO BE PAID: Motion made by Mr. Colman to pay bills as presented. The motion was seconded by Mr. Taylor and carried 7-0.

BIDS & QUOTATIONS: A motion was made by Mr. Davis to accept the bid of \$6,700.00 from Snyder & Clemente for January audit of 2007 books. Mr. Taylor seconded the motion and it carried 7-0.

A Thank was sent to Lackawanna County for 8 tons of free Road Salt.

OLD BUSINESS: None.

NEW BUSINESS: The request of ABPA to have a Halloween Parade on October 27, 2007 at 2 p.m. is approved pending their formal application.

BOROUGH SEWER OFFICE REPORT: The September 2007 Report by Virginia Kehoe was before Council. A motion was made by Mr. Taylor to accept the report as presented. Mr. Colman seconded the motion and it carried 7-0.

SOLICITOR'S REPORT: None.

CORRESPONDENCE: None.

EXECUTIVE SESSIONS: There will be an executive session immediately following adjournment.

ADJOURNMENT: There being no further business before Council Mr. Colman made a motion to adjourn. The motion was seconded by Mr. Taylor and carried 7-0. The meeting adjourned at approximately 8:44 PM.

Respectfully submitted,

**Katie M. Bower
Asst. Borough Secretary**

**Donald H. Moyer, III
Council President**