

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, NOVEMBER 3RD, 2004
Page 1 of 4**

The regular November 2004 Borough Council Meeting was conducted following a Public Hearing and Special Meeting earlier that evening. The regular November Meeting of Borough Council was conducted on Wednesday, November 3rd 2004 at approximately 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. Council members in attendance were, Council President Donald H. Moyer, III, Council Vice President Timothy D. Rowland, Councilman Richard W. Armbrust, Councilperson Geraldine Carey, Councilperson Margaret (Peg) Jackson, and Councilman Patrick Williams. Also attending were Mayor Wesley W. Dunn, Sr., and Borough Solicitor Malcolm L. Mac Gregor. Also present were the honorable Robert J. Mellow, Pennsylvania State Senator, and members of Boy Scout Troop 255 from the Church of Latter Day Saints who were working on their Communications merit badge. Chief English was absent. There being a quorum present the Meeting was called to order by President Moyer, followed by a moment of self-directed meditation and the Pledge of Allegiance lead by Joe Nichols of Boy Scout Troop 255 of the Church of Latter Day Saints.

APPOINTMENTS

Motion made by Mrs. Jackson, seconded by Mrs. Carey, to appoint Barbara R. Grabfelder as Borough Secretary. Discussion – None. Motion carried 6-0.

Resolution 2004-32 – Appointment of Council Member to Replace Thomas Bradley.

Motion made by Mrs. Carey, seconded by Mr. Armbrust to adopt Resolution 2004-32 appointing Mr. Roy Davis to fill the Council vacancy created by the resignation of Thomas Bradley until the first Monday in January after the first municipal election occurring more than sixty days after the vacancy occurs. Discussion – None. Motion carried 6-0. Mr. Davis was sworn into office by Mayor Dunn, and then gave some brief remarks.

PRESENTATION

Mayor Dunn presented a plaque of the framed copy of Resolution 2004-29 to Mr. Thomas Bradley, publicly thanking Mr. Bradley and recognizing him for his service to the Borough. Mr. Bradley made some brief remarks.

APPROVAL OF AGENDA:

The Agenda was accepted as presented.

APPROVAL OF MINUTES:

August 4th, 2004 – Public Hearing and special Meeting of Council. Motion to approve minutes made by Mrs. Jackson and seconded by Mrs. Carey. Discussion – None. Motion carried 7-0.

September 22nd, 2004 – Ordinance 2004-07 Zoning Ordinance/Curative Amendment. Motion to approve minutes made by Mrs. Jackson, seconded by Mrs. Carey. Discussion – None. Motion carried 7-0.

September 1st, 2004 – Regular Council Meeting and Reconvene on September 22nd, 2004. Motion to approve minutes made by Mrs. Jackson, seconded by Mrs. Carey. Discussion – None. Motion carried 7-0.

BIDS & QUOTATIONS:

None

BOROUGH TREASURER'S REPORT:

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, NOVEMBER 3RD, 2004
Page 2 of 4**

The Borough Treasurer's Report, as of October 31st 2004, prepared by Treasurer Stephens 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:

None

COMMITTEE REPORTS:

Mr. Moyer reported that some paving work is currently under way. The rough work is finished and the final coat will be applied Friday.

There are several drainage projects that have been started due to the flood. Still some major work to do. A meeting with DEP was held.

Another problem is with the sewers: Mr. Moyer is meeting with the railroad. The sewer line at the tracks must be replaced next year; it is totally inadequate and this will be a major project. That is the heart of this town.

Finance Committee: Mr. Rowland stated that they are working on the budget for next year.

POLICE REPORT:

Mayor Dunn gave the October 2004 Police Activity Report. All parking meters are now working properly. Mayor Dunn reviewed the meter maintenance program with George Carros and Jim Vones. Motion was made by Mrs. Jackson and seconded by Mrs. Carey to increase the salary paid to Mr. George Carros from \$8.00 per hour to \$9.00 per hour and to accept the report. Discussion – None. Motion carried 7-0.

Mayor Dunn publicly thanked Senator Mellow for obtaining grant money for the Borough to use to purchase a police vehicle in 2005, and for obtaining the scooter which was delivered last week. Mr. Moyer thanked Senator Mellow for his help in obtaining the two \$200,000 each grants; part of that money was used for the Hemlock Street Park.

BILLS TO BE PAID:

Motion by Mrs. Jackson to pay the current obligations, \$ 23,193.77 from the Payroll Account, and \$16,078.33 from the General Fund; and to approve the bills paid between October 4, 2004 and October 29, 2004 as follows: \$ 161,610.88 from the General Fund; \$ 41,807.60 from the Payroll Account; \$ 143,829.39 from the Sewer Fund; and \$ 0.00 from the Liquid Fuels Fund. Second by Mrs. Carey. Discussion - None. Motion carried 7-0.

OLD BUSINESS:

None

NEW BUSINESS:

Motion made by Mr. Armbrust and seconded by Mrs. Jackson to appoint Snyder and Clemente as auditors for FY 2004. Discussion – None. Motion carried 7-0.

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, NOVEMBER 3RD, 2004
Page 3 of 4**

Resolution 2004-30 Holiday Parking Meter Suspension

Motion made by Mr. Armbrust and seconded by Mrs. Jackson to adopt Resolution 2004-30 suspending the metered parking regulations on Thursday, November 18 through and including Saturday, November 20, 2004. Discussion – None. Motion carried 7-0.

On-Street (Winter) Parking Ban

President Moyer made everyone aware and issued a reminder that the on-street parking ban is in effect from November 1, 2004 to April 1, 2005.

2005 Tax Anticipation Note (TAN) – PNC Bank

Motion made by Mrs. Jackson and seconded by Mr. Armbrust to have Solicitor Malcolm MacGregor review documents from PNC Bank and documents from previous years' Borough Tax Anticipation Notes and modify them as necessary to prepare a resolution for a 2005 Tax Anticipation Note. Discussion: a member of the audience requested to know the amount and interest rate of the anticipated note. Mr. MacGregor answered the amount was \$300,000.00 and the interest rate was 2.2%. Motion carried 7-0.

BOROUGH SEWER OFFICE REPORT:

The October 2004 Sewer Office Report, as prepared by Dee Ann Stephens, was before Council. Motion by Mrs. Jackson to accept the Report as presented. Second by Mrs. Carey. Discussion – None. Motion carried 7-0.

President Moyer issued a reminder so that the public is aware that our sewer fee to the Authority goes up next year. Other municipalities have increased their fees but so far the Borough of Clarks Summit is maintaining the fee of \$50.00.

SOLICITOR'S REPORT:

Solicitor Mac Gregor reported on the Grandview Avenue matter. The transcript is now finished and the brief is being worked on and will be finished by November 24, 2004. It then goes to the Judge. Also, Council received a request from Commonwealth Telephone Company to remove the barriers so the telephone company could access the area and upgrade service to the residents of Clarks Summit. Solicitor MacGregor notified the Court of this request and then wrote to Commonwealth Telephone Company expressing a desire to cooperate with the telephone company but at this point it is not certain what is required. The Borough does not want to jeopardize its position by removing the barriers. It may be necessary for the telephone company to obtain a court order.

CORRESPONDENCE:

October 13, 2004 from Abington Community Library – expressing appreciation for Borough's donation.

October 19, 2004 from ABPA requesting suspension of parking regulations from November 18 through November 20, 2004 for holiday festivities.

October 20, 2004 from the Rotary Club of the Abingtons – expressing appreciation for Borough's donation toward the fireworks display in July.

October 29, 2004 from ABPA – requesting support for Olde Fashioned Abington holidays program.

EXECUTIVE SESSIONS:

**BOROUGH OF CLARKS SUMMIT
BOROUGH COUNCIL MEETING
WEDNESDAY, NOVEMBER 3RD, 2004
Page 4 of 4**

President Moyer announced that one Council Executive Session had been held prior for Personnel, none would be held during this Meeting, and none were scheduled for a future date.

ADJOURN:

There being no further business before Council President Moyer adjourned the meeting at approximately 8:30 P.M.

ADDENDUM:

Following a conversation with Solicitor Malcolm MacGregor, the minutes were amended to include a notation that two proposals for auditing services were received by the Borough, one from Snyder and Clemente, and one from Rossi and Company. After review and consideration during Executive Session, the matter was then voted upon at the open meeting.

Respectfully submitted,

BARBARA R. GRABFELDER
Secretary

DONALD H. MOYER, III
Council President