

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, November 7, 2007
Page 1 of 4**

The regular November Meeting of Borough Council was conducted on Wednesday, November 7, 2007 at 7:28 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 Police Chief Louis Vitale, Solicitor Frank Bolock and Borough Manager/Secretary, Virginia Kehoe. Mayor Harry Kelly was absent. 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.

APPROVAL OF AGENDA: Mr. Taylor moved to approve the agenda. Motion was seconded by Mr. Johnson and was approved as presented 7-0.

APPROVAL OF MINUTES: The minutes for the October 3, 2007 meeting were presented. Mr. Taylor moved to accept the minutes. The motion was seconded by Mr. Johnson and carried 7-0.

PUBLIC COMMENT: Mr. Charles Martin of Grandview Street spoke. He thanked Mr. Colman and Mr. Moyer for their service to the Borough and congratulated those who won the election and wished them good luck.

Mr. Robert Esslinger of Rotor Rooter stated that he had addressed Council last month and did not receive an answer to the question he proposed about why he is not being hired by the Borough to complete sewer work. President Moyer stated that the Borough has hired other contractors, the work is done, and that is the answer. Councilman Johnson stated that he believes anyone who asks a question should receive an answer so as to avoid having that individual return month after month. Others argued that Mr. Moyer's answer was not adequate.

Mrs. Barbara Grabfelder from the Abington Area Joint Rec Board spoke about the Master Plan and the developing plans for a Community Garden. She invited Council to a start-up meeting about the garden on November 17, 2007 at 10 a.m. at the library.

Mr. Dixon readdressed what was allowed to be advertised on the Borough Sign. He specifically questioned the Ice Festival. He was informed that Council will be working on specific regulations for the sign.

BIDS & QUOTATIONS: Two bids were collected for drainage projects on Tulip Circle and Winola Road. The lowest bid for Tulip Circle was from Jackson Excavating for \$17,728.00. Mr. Taylor made a motion to accept the bid. Mr. Colman seconded the motion and it was carried 7-0. The lowest bid for Winola Road was from Jackson Excavating for 11,050.00.

Mr. Russo of Tulip Circle stated that he is a property owner affected by the flooding. He stated that with the competitive bids, only one contractor, L.J. Milo, showed up to talk to him about what the property was. In his opinion, if that individual took the initiative to stop and speak to neighbors he should have been awarded the bid. Mr. Johnson also raised questions about the bidding process. It was explained that sealed bids are collected, reviewed by the Engineer, Robert Naegele; Manager, Virginia Kehoe; and DPW Manager, Neil Bartholme. The lowest bid that also meets the specifications is referred to Council to make the final vote. The bid openings are advertised and are open to anyone in the public who wishes to attend.

Barbara Evans of Carnation Drive questioned where the water on Carnation Drive flows now and will flow after the project. The underground route of the water flow was explained.

Mr. Dixon questioned whether an 18" pipe would be large enough and whether we needed to order larger catch basins. He was assured that the specifications of the project would adequately address the water flow problems and would be most cost effective for the Borough.

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, November 7, 2007
Page 2 of 4**

Mr. Colman moved to accept the bid from Jackson for the Winola Road Project. The motion was seconded by Mr. Taylor. After discussion, the motion to accept Jackson's bid for the Winola Road project carried 7-0.

Four letters to request bids for the Christmas Lights were sent out to local electricians. Only RD James placed a bid which was \$6,350.00. The bid reflected labor, as the Borough provides the lights. Mr. Taylor made a motion to accept the bid. Mr. Williams seconded the motion and it carried 7-0.

The insurance committee, supervised by Herman Johnson, reviewed new dental plans which were also reviewed by the non-uniform union and the police union, which gave positive or neutral feedback. Ultimately, the option will allow the Borough to save money on monthly premiums and it also offers a unique savings account which allows individuals to save unused deductibles from each month toward the next year which can be removed tax free upon retirement much like an IRA. The providers and coverage's are comparable. Mr. Davis made a motion to accept the Dental Plan. The motion was seconded by Mr. Johnson and carried 7-0.

BOROUGH TREASURER'S REPORT: The Borough Treasurer's Report, as of October 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.

Ray Taylor made a motion to transfer \$200,000.00 to the capital reserve account. Herman Johnson seconded the motion and carried 7-0.

COMMITTEE REPORTS:

Steve Evers spoke on behalf of the Joint Sewer Authority. He discussed storm water issues such as discharging sump pumps and downspouts into the sewer which is increasing the sewer levels significantly. He explained that our plant is not designed to manage this type of flow. This is causing issues with the DEP who have told Joint Sewer Authority that they must stop bypassing the plant. Steve Evers explained that the Joint Sewer Authority received a grant to undergo work along the railroad to address some of these issues in the spring which should substantially aid in this problem. He explained that South Abington Township and Clarks Green agreed to camera their own lines, while Clarks Summit did not, citing budget issues. Other issues such as permit and license disputes with DEP were explained.

Warren Watkins gave an update on the Sister City in Wales. Mr. Watkins and his wife had visited the Sister City for two weeks in July and delivered to them a Resolution from Clarks Summit Borough stating that we have had sixteen years of relationships with the Sister City. He also brought baseball caps and local newsletters and met with the Sister City's Borough Council President. He returned with a plate showing the collieries, as well as a figurine from the Coal Museum in the South of Wales.

Jack Adcroft gave an update on the Shade Tree Commission. He explained that 16 dead and diseased trees, including the stumps, have been removed. He said that he and Charlie Busalacchi picked up a large delivery of trees for the Recreation Park and that Clarks Green Borough has been extremely cooperative in donating 11 trees which have been planted on Grove Street. Mr. Adcroft also spoke of fundraising projects and the desire to have a separate account created for the Shade Tree Commission.

Mr. Davis made a motion to set up a separate account for Shade Tree Commission. This motion was seconded by Mr. Johnson and it carried 7-0.

President Moyer stated that we did extra paving on Laurel, Waverly and Nelson. Mr. Johnson made a motion to acknowledge the extra paving and Mr. Williams seconded it. The motion carried 7-0.

Mr. Colman updated on the Plant and Building Committee. He stated that the DPW roof was completed and the asbestos report for the Borough building was completed. This report is available for public review. The committee

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, November 7, 2007
Page 3 of 4**

also met with Guzek Associates and the Boiler and Piping System. Two contractors have looked at the police door for replacement. One of the two contractors submitted a bid and the committee will deliver the bids to Virginia once they are both received.

Mr. Taylor gave the Finance Committee update. Members of the committee as well as Christine Tsaklas and Virginia Kehoe met and worked on the proposed 2008 budget. Mr. Taylor stated that over the previous year he has kept the purse string tight, which has paid off as Department Heads were able to cut some costs and has made the Borough appear to be quite financially stable. Mr. Taylor stated that his goal from last year was to maintain 10% to 15% in the capital reserve fund to save and have on hand in case of emergencies. He stated that he did not think it was unreasonable with a 2.5 million dollar budget to maintain \$250,000 to \$375,000 for emergencies. He stated that we have met that goal. He explained that next year the EMS Tax will be reimbursed to those making less than \$12,000 a year which will be reflected as a loss in income in the budget. He also commended Department Heads on their conscientious effort to reduce costs.

Mr. Taylor also stated that Virginia Kehoe has created an anticipated use of our capital from the current year until the year 2019. This is not etched in stone but gives a comprehensive idea of what capital investments might likely be necessary in the coming years. It also helps to accumulate funds over time more efficiently without needing to increase the tax base in one year to cover large expenses.

Mr. Taylor made a motion to advertise the budget. Mr. Colman seconded the motion and it carried 7-0.

Bob Bennett questioned whether the garbage contract was taken into consideration for next year, as the contract will be expiring and he assumes the fees will increase. Mr. Taylor responded that the garbage contract does not expire until 2009 so it will be considered in the budget for that year.

POLICE REPORT: Chief Vitale gave the October 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. Carey and carried 7-0.

OLD BUSINESS: Mr. Herman Johnson questioned when the sign policy will be drafted.

NEW BUSINESS:

Ordinance 2007-2008 No Parking on Nichols Street. The motion to approve was made by Mr. Johnson, seconded by Mrs. Carey and carried 7-0.

Ordinance 2007-09 to accept dedication of land from Allied Services. The motion to approve was made by Mr. Taylor, seconded by Mr. Colman and carried 7-0.

Resolution 2007-21 to waive parking for ABPA Holiday Open House. The motion to approve was made by Mrs. Carey, seconded by Mr. Williams and carried 7-0.

Resolution 2007-22 – EIT Tax Hearing Officer Appointment. The motion to approve was made by Mr. Taylor, seconded by Mrs. Carey and carried 7-0.

BOROUGH SEWER OFFICE REPORT: The October 2007 Report by Virginia Kehoe was approved by Council.

SOLICITOR'S REPORT: None.

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, November 7, 2007
Page 4 of 4**

CORRESPONDENCE:

Request from Independent Business Network of the Abingtons for the use of borough building bays to host Santa Claus and to do gift wrapping and for free parking on Saturdays in December. A motion to approve the use of the bays was made by Mrs. Carey, seconded by Mr. Johnson and carried 4-0-3. A motion for free parking was made by Mrs. Carey, seconded by Mr. Johnson and carried 7-0.

There was discussion about a horse and buggy. It was determined that if the horse and buggy has a triangle on the back of it, it is allowed on streets.

There was a Thank You from Victor Dec.

There was a Thank You from the Laura Lee Defazio Morabito family.

Liquid Fuels - \$125,983.39 for 2008, up 10% from 2007.

A request for fencing was received from Attorney Nogi along the section of Grandview that was vacated.

EXECUTIVE SESSIONS:

There were executive sessions held October 3, 2007 and October 16, 2007.

ADJOURNMENT: There being no further business before Council Mr. Taylor made a motion to adjourn. The motion was seconded by Mr. Johnson and carried 7-0. The meeting adjourned at approximately 9:10 PM.

Respectfully submitted,

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

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