

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, December 5, 2007
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The regular December Meeting of Borough Council was conducted on Wednesday, December 5, 2007 at 7:01 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 and 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. Johnson and was approved as presented 7-0.

APPROVAL OF MINUTES:

The minutes for the November 7, 2007 Conditional Use Special Hearing were presented. Mr. Taylor moved to accept the minutes. The motion was seconded by Mr. Davis and carried 7-0.

The minutes for the November 7, 2007 Curative Amendment Hearing were presented. Mr. Johnson moved to accept the minutes. The motion was seconded by Mr. Colman and carried 7-0.

The minutes for the November 7, 2007 Regular meeting were presented. Mr. Taylor moved to accept the minutes. The motion was seconded by Mr. Davis and carried 7-0.

PUBLIC COMMENT:

None

BIDS & QUOTATIONS:

A bid was put out for the 2008 Tax and Revenue Anticipation Note. Eight bids were solicited and three bids were received from Community Bank and Trust, Fidelity Bank and PNC Bank. The low bid was received from PNC Bank at 3.29%. It was Virginia Kehoe's recommendation that the bid be accepted. Mr. Davis made a motion to accept the bid. Mr. Colman seconded the motion and it carried 7-0.

BOROUGH TREASURER'S REPORT

The Borough Treasurer's Report, as of November 30, 2007 was before Council. Motion made by Mr. Taylor to approve the Report as presented. The motion was seconded by Mr. Colman and carried 7 – 0.

COMMITTEE REPORTS:

Ordinance 2007-11 – 2008 Budget and Millage. Mr. Taylor made a motion to accept the budget as presented. The motion was seconded by Mr. Colman and carried 7-0.

Public discussion and vote on Ordinance 2007-12 – Sewer Billing Ordinance. Mr. Taylor explained that the Sewer Fund Budget requires a minimal increase of \$20 a month, \$60 a quarter. He also explained that neighboring towns pay around \$70 a month. The increase would be \$3.34 a month from the current rate of \$16.66. Mr. Taylor made a motion to accept. Mr. Davis seconded the motion and it carried 7-0.

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Curative Amendment for 200 block of north side of West Grove Street to an RP Zone – Mr. Colman made a motion to deny the Curative Amendment and to retain the R1 zoning. Mr. Johnson seconded the motion and it carried 6-1, with Mr. Davis voting no.

It was stated that a Hearing must be scheduled for Mr. Dixon's application for a Zoning Variance. Virginia Kehoe suggested holding the Hearing after the reorganization meeting on January 7, 2007. It was decided by Council members who will remain on Council next year that such a meeting date would be acceptable.

Mr. Colman gave an update with regard to the boiler. He stated that the engineer believes that at this time any repairs that are needed should simply be made, rather than repairing the boiler. He stated that if the renovations on the Borough Building take place the new boiler could be reconsidered in the reconstruction phase. The report is available to the public. Mr. Colman solicited five bids for the police door and the stairs. Two bids were received and the low bidder was Leonard Construction with a bid of \$7,723.00. This would replace the exterior door and redo the steps downstairs and upstairs. Mr. Williams stated that it is his belief that the size of the door would not meet code. Mr. Colman explained that the report was complete and Mr. Williams could look into that if he wished. President Moyer tabled the discussion and suggested Mr. Williams take on the project.

POLICE REPORT

Chief Vitale gave the November 2007 Police Report, and summary of police related activities. Chief Vitale stated that the department received \$3,162.50 from participating in tobacco checks, with the stipulation that they use it on a youth based initiative. They are recommending that \$1,500.00 be sent to the high school to print day planners with various information on certain problems students may encounter such as peer to peer counseling, drugs, alcohol, etc. with the remainder of the money to be spent improving the Little League field on Sheridan Avenue.

Mr. Johnson made a motion to spend the funds as recommended. Mr. Taylor seconded the motion and it carried 7-0.

BILLS TO BE PAID:

Motion made by Mr. Taylor to pay bills as presented. The motion was seconded by Mr. Davis and carried 7-0.

OLD BUSINESS:

Resolution 2007-26 to approve the checking account for the Shade Tree Commission. Mr. Johnson made a motion to approve the account. Mr. Williams seconded the motion and it carried 7-0.

Mr. Taylor made a motion to pay back police vacation at half rate, capped off at 48 hours. The motion was seconded by Mr. Colman. Mr. Johnson questioned why it was capped at 48 hours, as he thought an additional allotment would help the police and help the Borough. It was determined that if next year the hours need to be increased, they may be. After discussion the motion carried 7-0.

NEW BUSINESS:

None

BOROUGH SEWER OFFICE REPORT:

The November 2007 Sewer Office Report by Virginia Kehoe was presented 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.

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SOLICITOR'S REPORT:

None

CORRESPONDENCE:

A letter was received requesting a stop sign on the corner of Bedford Street and Powell Avenue. Virginia Kehoe stated that if we use the speed sentry on the corner that the data collected can be forwarded to the engineer for his recommendation. Chief Vitale also agreed to monitor that area.

There was also discussion of positioning a stop sign on Grandview, immediately before the turn onto Carnation. Again, the speed sentry will be used to collect data and analyze the need for the sign. There was an additional request to look at a stop sign at the intersection of Lewis Lane.

President Moyer stated that it would be most efficient to loop all of the requests together, send them to the engineer for recommendation and then hold one public meeting for all of the signs.

EXECUTIVE SESSIONS:

Prior to the November 7, 2007 regular meeting there was an executive session, none occurred during the meeting, and none were held immediately subsequent to the meeting.

ADJOURNMENT:

There being no further business before Council the Meeting adjourned at approximately 7:41 PM.

Respectfully submitted,

**Katie M. Bower
Borough Secretary**

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