

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, MAY 2, 2007**

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The regular May Meeting of Borough Council was conducted on Wednesday, May 2, 2007 at 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 Margaret Jackson, Councilperson Gerri Carey, Councilman James Colman, Councilman Roy Davis, Councilman Raymond Taylor, and Councilman Patrick Williams. Also attending were Mayor Harold P. Kelly., Borough Solicitor, Frank Bolock, Police Chief Louis Vitale, 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 lead by Mayor Kelly.

APPROVAL OF AGENDA:

Motion made by Mrs. Jackson, seconded by Mr. Taylor, to approve the Agenda as presented. Discussion – None. Motion carried 6 – 0.

APPROVAL OF MINUTES of April 4, 2007 Regular Council Meeting

Motion made by Mrs. Jackson, seconded by Mr. Colman to approve the Minutes of April 4, 2007 Regular Council Minutes. Discussion: None. Motion carried 6 – 0.

BIDS & QUOTATIONS:

None

BOROUGH TREASURER'S REPORT

The Borough Treasurer's Report, as prepared by Treasurer Alice Kohn, as of April 30, 2007 was before Council. Motion made by Mrs. Jackson, seconded by Mr. Taylor to approve the Report as presented. . Discussion – None. Motion carried 6 – 0.

COMMITTEE REPORTS:

Zoning Hearing Board - President Moyer announced that the Zoning Hearing Board is looking for a designated "alternate" member. If anyone has interest or suggestions for this position please let Virginia Kehoe know.

Abington Area Joint Recreation Board (AAJRB) – Councilman Patrick Williams gave report and said that 40 trees have been planted at the recreation area and more will be planted in the fall. A butterfly garden will also be planted there. He said that the Clarks Summit Shade Tree Commission worked with Clarks Green's committee and planted five trees in celebration of Arbor Day and that Mayor Kelly made some nice remarks at the event.

Boy Scout Troop 160 – President Moyer announced that three scouts have completed their projects and passed the requirements for their Eagle Scout badge and Council agreed to have plaques made for Matthew Kontz, Patrick Fricchione, III, and Jim Bird recognizing their efforts.

Little League Field on Sheridan Avenue – President Moyer reported that Community Development Block Grant monies have been used to install new handicapped equipped restrooms in the Press Box area at the little league field on Sheridan Avenue. A parade will be held on Saturday, May 5, 2007 beginning at 9:00 AM and all are welcome to view the renovations.

Department of Public Works Building – President Moyer stated that quotes were being obtained to put new stucco and paint on the exterior of the DPW building.

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POLICE REPORT

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

Councilman Roy Davis arrived at the meeting at this point.

BILLS TO BE PAID:

General Fund: YTD disbursements approved by Council as of 4/4/07 - \$486,428.41; Apr. 1 to Apr. 30, 2007 disbursements TO BE approved by Council - \$110,044.26; Total YTD disbursements as of 5/2/07 approved by Council - \$596,472.67. **Payroll Disbursements:** YTD disbursements approved by Council as of 4/4/07 - \$191,287.92; Check dates 4/5/07, 4/19/07 payroll TO BE approved by Council - \$66,462.86. Total YTD disbursements as of 5/2/07 approved by Council - \$257,750.78. **Sewerage Fund:** YTD disbursements approved by Council as of 4/4/07 - \$260,850.76. Apr. 1 to Apr. 30, 2007 disbursements TO BE approved by Council - \$14,386.63. Total YTD disbursements as of 5/2/07 approved by Council - \$275,237.39. **Liquid Fuels Fund:** Total YTD disbursements as of 2/28/07 approved by Council - 0. **Capital Reserve Fund:** YTD disbursements approved by Council as of 4/4/07 - \$571,600.00 Apr. 1 to Apr. 30, 2007 disbursements to be approved by Council - 0. Total YTD disbursements as of 5/2/07 approved by Council - \$571,600.00. Motion made by Mr. Taylor, seconded by Mrs. Jackson to pay all bills and approve report. Discussion: None. Motion carried 7 - 0.

OLD BUSINESS:

Resolution 2007-13 Approving Terms and Conditions of a Sewer Pass-Through Agreement between Clarks Summit Borough and LCL Laurel Wood Associates, LP. Motion made by Mrs. Jackson, seconded by Mr. Colman to adopt and accept Resolution 2007-13. Discussion: Mr. Colman asked if the work discussed in the agreement will be done before or after the Borough's major sewer repair project at the railroad tracks. President Moyer answered that the work must be done after the Borough's sewer repair project is completed. Motion carried 7 - 0.

NEW BUSINESS: None

BOROUGH SEWER OFFICE REPORT:

The April, 2007 Sewer Report by Virginia Kehoe was before Council. Motion by Mr. Colman, seconded by Mr. Jackson to approve the Report as presented. Discussion - None. Motion carried 7 - 0.

SOLICITOR'S REPORT:

Solicitor Bolock told Council that the Grandview hearing is scheduled for 10:00 AM on May 17, 2007 and everything is prepared and they are ready to go.

CORRESPONDENCE:

Rotary International - Letter received from Warren Watkins requesting a memorial for Laura DeFazio who was killed on 9/11 in the United flight that crashed into the twin towers. The Rotary Club is asking to place the memorial at the base on the front of the clock tower following the improvements to the clock and tower that are being made by the Rotary Club. Mrs. Jackson said she thought the existing tower was erected as a memorial to Scotty McGregor. She suggested that Mr. Watkins check out the details of the original tower so as not to offend anyone, but she does like the idea of the memorial for Laura DeFazio. Motion made by Mrs. Jackson, seconded by Mr. Williams to permit the Abington Rotary Club to place a memorial plaque at the base of the clock tower.

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Discussion: Several Council members volunteered to be on the committee with Warren Watkins to approve the final wording of the memorial. Motion carried 7 – 0.

Abington Senior Center - Warren Watkins announced that the Abington Senior Center will be holding an OPEN HOUSE on May 10, 2007 from 1:00 to 6:00 PM.

Mari M. Van Wie – Borough resident Mari Van Wie, 512 Grandview Street, sent a letter to Council regarding residents' concern about the barrier at the end of Grandview Street.

Betty Allen – Borough resident sent a thank you to Borough Police.

Chris Calvey – member of the audience and business owner in Clarks Summit asked who the contact person would be for the Borough if someone was interested in renting the vacant space on the first floor of the Borough Building. President Moyer suggested that Borough Manager Virginia Kehoe be contacted.

EXECUTIVE SESSIONS:

President Moyer reported that one Executive Session had been held prior on April 4, 2007 following the regular Council meeting for litigation and personnel and one was scheduled to be held during this May meeting and none were to be held subsequent.

RECESS: President Moyer recessed the meeting to move to Executive Session.

RECONVENE: Mr. Moyer called the meeting back to order at 8:25 PM following the Executive Session.

Mr. Steve Evers, Clarks Summit Borough's Representative to the Joint Sewer Authority – Mr. Evers gave a report to Council on three major problems facing the Joint Sewer Authority: the infiltration problem, the Chesapeake Bay nutrient reduction problem, and the on-going dispute between the Joint Sewer Authority and DEP as to what our permit should be. We have a unique, three-tiered permit and it is strictly a sanitary plant (not designed to handle storm water). He said we are really behind in our efforts. There is a deadline of October 1, 2010 and there is a long construction timetable in front of that deadline. In front of that there is an approval period of the design and before that there is the design, etc. The bad news is that if we don't get a handle on this infiltration problem, DEP is going to come down on us VERY hard. President Moyer asked if it would help if Clarks Summit purchased a flow meter and Mr. Evers answered yes. The final thing is the Joint Sewer Authority has come to the conclusion that it would be best if the Authority did a full SSES study on its own lines and do smoke testing and camera the lines, and then move on and do the lines of the municipalities. Councilman Roy Davis suggested that Council members try to get a meeting with Representative Carney to see if he would be willing to pick up the ball that Mr. Sherwood got rolling for us. Councilman Taylor suggested that we purchase the flow meters and hook them up to document the amount of infiltration that is coming into our lines through the railroad track pipes. This may give us more hard numbers to make our case to the politicians and move this project up in importance. President Moyer will go see Representative Carney. At some point in the future, Clarks Summit is going to need to name another representative to the Joint Sewer Authority Board and Mr. Evers encouraged Council to start thinking about finding a person with an engineering background or a financial background.

President Moyer stated that we need a resolution on behalf of the COLA. Motion made by Mr. Roy Davis, seconded by Mrs. Carey to make that resolution. Discussion: None. Motion carried 6 – 0 with Mrs. Jackson abstaining.

Motion made by Mr. Colman that at the present time that Clarks Summit Borough with Police Chief Louis Vitale's authorization we hire two part-timers. The two names before us are Mike Frezzolini and Robert Reese. Motion seconded by Mr. Taylor. Discussion: None. Motion carried 5 – 0 with Mrs. Jackson and Mr. Williams abstaining.

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ADJOURNMENT:

There being no further business before Council the Meeting adjourned at approximately 8:45 PM.

Respectfully submitted,

**Virginia Kehoe
Borough Secretary**

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