

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
WEDNESDAY, JUNE 2ND 2004
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The regular June Meeting of Borough Council was conducted on Wednesday, June 2nd 2004 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 Timothy D. Rowland, Councilman Richard W. Armbrust, Councilman Thomas Bradley, Councilperson Gerry Carey (arriving a little late), Councilperson Margaret (Peg) Jackson, and Councilman Patrick Williams. Also attending were Mayor Wesley W. Dunn, Sr. Chief of Police Joseph English and Borough Manager/Secretary James G. Vones, Sr. There being a quorum present the Meeting was called to order by the Council President, followed by a brief period of self-directed mediation and then the Pledge of Allegiance lead by Mayor Dunn.

PRESENTATIONS:

Mayor Dunn made presentations of framed Borough Resolutions to Eagle Scout Calvey for his Eagle Scout Project at the Mayor Tony Perry Park on Carnation Drive and Eagle Scout Kilzi for his Eagle Scout Project at the Lewis Lane Park.

APPROVAL OF AGENDA:

The Agenda was approved as presented.

APPROVAL OF MINUTES:

There were no Minutes available for approval.

BIDS & QUOTATIONS:

None

BOROUGH TREASURER'S REPORT:

The Borough Treasurer's Report, as prepared by Treasurer Dee Ann Stephens, as of May 31st 2004 was before Council. Motion by Mr. Bradley to approve the Report as presented. Second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

PUBLIC COMMENT & INPUT:

Mr. James Jones of 123 North State Street with several issues. The Bank's exterior lights are shining into his house all night. President Moyer was to meet with the Bank and get them to clean out the concrete stormwater swale behind the bank, what is the status? Mr. Jones was to go with President Moyer to meet with the Bank Officials, and was never contacted. This was to be a satellite office and now it is the main bank headquarters. The police do nothing about the kids on skateboards in the bank parking lot. These skateboards are becoming very dangerous, I saw a car almost hit a kid on one on Carnation Drive. Chief English stated that he had requested a letter from the Bank to say this was private property, without that the Police could do nothing to keep the skateboarders out. Mr. Rowland stated that there is discussion about creating a skate board park in Newton Township. Most kids could be drive there and they would have a safe place for skateboarding. Our Lady of Snows R.C. on South State Street was allowing kids to skate board there, but an insurance issue arose.

Mr. John Baer of 300 block of Nichols Street stated that # 4 rock is needed in the stormwater swales. President Moyer will check with the DPW Foreman on this issue.

COMMITTEE REPORTS:

Public Works

President Moyer reported that the stormwater work across the Jenkins property on Haven Lane was completed by the DPW. He stated that the Borough Engineer was working on the plans and specifications for the 2004 paving project.

Hemlock Drive Park

Mrs. Carey reported that the Park Dedication on May 31st was a great success, even with the poor weather and rain.

Memorial Day Parade

President Moyer thank Mr. Dominick Scott of Knapp Road for his efforts relating to the VFW Memorial Day Parade.

Lackawanna COG

Mr. Williams stated he had missed the last Lackawanna County Meeting and had nothing to report on the Uniform Construction Code matter.

Mr. Williams also reported that efforts to "clean up" the junk cars in the Borough was moving slowly but moving.

POLICE REPORT:

Mayor Dunn gave the May 2004 Police Report, and summary of police related activities. The Chief is doing a time management study for each officer and the amount of available time for deterrent patrol.

Mayor Dunn reported on parking meter enforcement and meter revenue. 2004 has exceeded the past two years. He had a colored graph to represent his findings.

Mayor Dunn stated that any resident should let the Chief of Police known about areas requiring deterrent patrol.

Mayor Dunn provided a contrast between the police activities of the South Abington Police Department and that of the Borough.

Mr. Rowland observed that he was informed about meter problems. Mayor Dunn stated that he had a meeting scheduled for Tuesday, June 13th with the factory representative. The parking meters the Borough purchased were refurbished meters and the coin slots were problematic.

Mr. Raymond Davis asked about meter maintenance. Mayor Dunn stated that George Carros still performs these duties for the Borough.

Mr. Davis stated you are doing a time management study. You have the "ALERT" system which South Abington Township uses and you do not use it. Here. The computers and software are right downstairs.

Discussion followed contrasting the ALERT System and the Lackawanna County systems.

Mr. Davis asked about dog enforcement, barking and stay dogs. Chief English stated the Ordinance is enforced.

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Mr. Davis asked if the Police could provide a report by the next Council Meeting on the dog enforcement activities of the Department?

Mr. Davis stated that VASCAR lines should be put down on State Street to slow traffic. There is a lot of truck traffic at night speeding through the Borough.

Mr. Armbrust questioned the status of the PennDOT State and Grove Project. President Moyer stated a Bid would go out this summer, he thought.

Mrs. Vokes commented on the loud mufflers that are present in the Borough and what could be done to control the noise?

Mr. Bradley commented that cars are cutting over side streets in the Borough to by-pass heavy traffic and the traffic lights.

Mr. Davis again on the values of the ALERT System for monitoring problems and measuring enforcement activity of the police. The system is used in South Abington Township and Clarks Green Borough.

Mr. Williams stated that many of the issues here tonight are quality of life issues in the Borough. He questioned the nature of the reported sex offense. Mayor Dunn stated it was a contained issue.

Mr. Williams asked about the intoxication activities. Chief English explained.

BILLS TO BE PAID:

Motion by Mr. Bradley to pay \$ 224,834.90 from the General Fund, \$ 20,621.12 from the Payroll Account, and \$ 21,024.00 from the Liquid Fuels Fund; and approve the payment made from May 11th to May 24th 2004 \$ 107,965.11 from the General Fund, \$ 23,726.87 from the Payroll Account, and \$ 91,721.91 from the Sewer Fund. Second by Mr. Armbrust. Discussion followed. Mr. Williams asked about the expenditure from the Liquid Fuels fund? He was advised that this was the new DPW Chevrolet pickup truck. Mr. Bradley again questioned the high amount of monthly telephone bills. He asked if the Police were monitoring the calls and are they necessary? Mr. Bradley stated that we (the Borough) is spending a great deal of money on phone bills. Mr. Bradley also stated that he would abstain on the payment of check # 13409 to the Veterans of Viet Nam. Motion carried 7-0, except as noted.

OLD BUSINESS:

Grandview Street:

Motion by Mr. Rowland to approve a contract amendment with Borton-Lawson, and allowing President Moyer to sign the amendment. Second by Mrs. Carey. Discussion – None. Motion carried 6-0.

NEW BUSINESS:

Old Chevrolet 4X4 Pickup Transfer

Based upon a request from the Clarks Summit Fire Company, motion by Mr. Bradley to transfer the old DPW Chevrolet 4 X 4 Pickup to the Fire Company. Second by Mr. Armbrust. Discussion – None/ Motion carried 6-0.

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Donation to Rotary – 4th of July Fireworks Display

Motion by Mr. Armbrust to appropriate \$2,000.00 to the Rotary for the 4th of July Fireworks Display. Second by Mrs. Jackson. Discussion followed. Mr. Bradley questioning the number of other municipalities which contribute to this annual event, and that Borough can not keep doing this. Motion carried 7-0.

Repeal Resolution 2001-15 – Message Board Fee

President Moyer stated that this would repeal the fees associated with the Borough Message Board on South State Street. That this was good public information, and that even though some groups/events are outside this Borough, our residents could still attend and benefit. He stated he was exploring an electronic bulletin board. This future expenditure would save time for the DPW crew going down and manually putting and taking down announcements. It could be done from the Borough Offices, by computer/telephone line.

Mr. Bradley stated that this was not fair to our taxpayers. Groups outside the Borough could use the Board, while we pay for it.

Mr. Davis stated that a \$25.00 fee for out-of-Borough groups was nominal. It was also a control mechanism on the number of announcement requests made here. What is the cost estimate of this electronic board? President Moyer responding about \$15,000.00. Mr. Davis stated that he still thought this fee was holding down the number of requests for posting on the Message Board.

Motion by Mr. Rowland to repeal Borough Resolution 2001-15. Second by President Moyer. Discussion followed. Mr. Bradley observed this would just generate more telephone calls and requests into Jim Vones. President Moyer responded that he would handle this and personally approve each posting and give it to the DPW. Mr. Bradley stated he was not opposing this for non-profit groups. The motion carried 4-3, with Bradley, Carey and Williams voting no.

Mr. Davis observed that he wanted to know if the Borough received any grant for an electronic board, because if it did, then people are being over taxed by the County, State or Federal governments.

Partial Pay Down of 2004 TAN (Tax Anticipation Note) - \$200,000.00

This was done under the approval of bills and payments, prior.

Urban Stormwater Permit – Karam Letter/suggestion

Council directed that the Manager send a letter to Mr. Karam and allow him to explore his suggestion.

2004/2005 Insurance Coverage

Responses are not in yet and a special meeting will be held on June 30th.

BOROUGH SEWER OFFICE REPORT:

The May 2004 Report by Dee Ann Stephens was before Council. Motion by Mrs. Carey to approve the Report as presented. Second by Mrs. Jackson. Discussion – None. Motion carried 7-0.

Mr. Williams questioned the amount of outstanding sewer bills reported.

Motion by Mrs. Jackson to approve a 200-foot extension of the Borough's Sanitary Sewer line on Woodlawn Avenue. Second by Mrs. Carey. Discussion followed. The Manager was questioned about

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the cause. He advised this extension would eliminate a potential litigation against the Borough by Jim Nichols. Motion carried 7-0.

SOLICITOR'S REPORT:

The Grandview matter continues.

CORRESPONDENCE:

May 11th Certified Letter from John Vitkauskas, re: property complaint

May 14th Letter from Delaware & Hudson Railway re: Borough sewer lines.

May 18th 2004 Letter from Clarks Summit-South Abington Joint Sewer Authority, re: thank you.

May 24th 2004 Letter from Mr. & Mrs. Castro, re: sanitary sewer damage

The Manager/Secretary was directed, by Council, to write a Thank You Letter to Maxine Gilligan for her service to the Borough while Jim Vones was out in May.

EXECUTIVE SESSIONS:

President Moyer reported that no Executive Sessions had been held prior and none were scheduled.

RECESS:

President Moyer stated that Council would recess until Wednesday, June 30th 2004 at 7:00 P.M. (For Insurance Matter).

RECONVENE:

Borough Council re-convened on Wednesday, June 30th 2004 at approximately 7:10 P.M. Members present were Council President Donald H. Moyer, III, Councilman Richard W. Armbrust, Councilman Thomas Bradley, Councilperson Gerry Carey, Councilperson Margaret (Peg) Jackson, and Councilman Patrick Williams. Council Vice President Timothy D. Rowland was absent. Also attending were Mayor Wesley W. Dunn, Sr., Borough Solicitor Malcolm L. Mac Gregor and Borough Manager/Secretary James G. Vones, Sr.

2004/2005 Borough Insurance Coverage:

Two proposals for insurance coverage were before Council. One a renewal with Davis, Gregory & Kyle (DGK), and the other by C.C. Young & Henkelman Insurance (a pooled Insurance Trust). The DGK (Selective Renewal) Proposal was \$ 86,847.00. The Young & Henkelman Proposal with MRM Property/Liability Trust was \$ 78,232.86.

The current Borough policies/coverage expires at midnight tonight.

Mr. Jeffrey Kyle representing DGK and Mr. Mark Young of Young & Henkelman exchanged length discussion/arguments about the benefits of their policies and the weaknesses of the other's.

Mr. Young pointed out that the Borough will have a better and separate policy for Heart & Lung Act coverage, then now exists with DGK/Selective. Both noted the high experience of workers compensation payments in 2003, which caused the policies to go up significantly.

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Recess:

Council recessed into an Executive Session at approximately 8:40 P.M. and returned at 9:05. The purpose of which was to discuss the pending coverage proposals.

Motion by President Moyer to select the Young & Henkelman/MRM Pooled Trust. Second by Mrs. Jackson. On the question Mrs. Jackson – yes, Mrs. Carey – yes, Mr. Bradley – Abstained, he was not comfortable with the issue, Mr. Armbrust – yes, Mr. Williams – Abstain – was not comfortable with the matter and did not have enough information to make an informed decision, President Moyer – yes. Motion carried 4-0-2 (2 abstaining).

Other Matters:

Council briefing discussed the salvage of the old DPW Chevrolet Pickup Truck. The ABPA request for lights on on State Street to promote the downtown area. A Public Service Announcement should be drafted to inform people why the Holiday Lights would be on from 9 – 11 P.M. A Resolution should be drafted for the Council Meeting, dealing with a suspension of parking meter enforcement for the ABPA Sidewalk Sales Days. Mr. Bradley asked about the Borough's vault in basement and the status of the lock being changed. Mayor Dunn stated he was looking into the matter.

ADJOURNMENT:

There being no further business before Council the Meeting adjourned at approximately 9:25 P.M.

Respectfully submitted,

JAMES G. VONES, SR.
Borough Manager/Secretary

DONALD H. MOYER, III
Council President