

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
Wednesday, September 5, 2007
Page 1 of 3**

The regular September Meeting of Borough Council was conducted on Wednesday, September 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, Council Vice President Gerri Carey, Councilman James Colman, Councilman Roy Davis (arrived at 7:03), Councilman Herman Johnson, Councilman Raymond Taylor, and Councilman Patrick Williams. Also attending were Mayor Harold P. Kelly (arrived at 7:03), 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: A motion was made by Mr. Taylor to approve the Agenda as presented. The motion was seconded by Mr. Coleman and carried 6-0.

APPROVAL OF MINUTES: A motion was made by Mr. Taylor to approve the August 1, 2007 minutes as presented. The motion was seconded by Mr. Johnson and carried 6-0.

PUBLIC COMMENT & INPUT:

President Moyer introduced and explained the proposed policy on public comment. Mr. Johnson made a motion to approve the policy as presented. The motion was seconded by Gerri Carey and carried 7-0.

There was no public comment.

BIDS & QUOTATIONS:

A bid was put out for Shade Tree Commission for the removal of 14 hazardous trees in the Borough. Brown Hill Tree Company Inc. placed the only bid of \$7,500.00. Mr. Williams made a motion to accept the bid. Mr. Johnson seconded the motion and it carried 7-0.

BOROUGH TREASURER'S REPORT

The Borough Treasurer's Report, as prepared by Treasurer Christine Tsaklas, was before Council. Mr. Taylor made a motion to approve the report as presented. Mr. Davis seconded the motion and it carried 7-0.

COMMITTEE REPORTS:

Shade Tree Commission: Donna Zagrapan discussed a cooperative project with the Borough of Clarks Green to place trees along Grove Street extending from Colarusso's to the top of the hill. The school district is excited about the project. Clarks Green will be paying for the trees.

Building and Plant Committee: Mr. Colman discussed the condition of the DPW building roof and the need for it to be replaced. One contractor has looked at the roof and two additional contractors will be looking at it in the near future. The committee (Mr. Colman, Mrs. Carey, Mr. Williams) would like to entertain a motion that Council give the committee the authorization, once the bids are received and with the assumption they will be under \$10,000.00, to pursue the matter and complete it before winter time. A motion was made by Mr. Johnson to grant the committee this authorization. The motion was seconded by Mr. Williams and carried 7-0.

Mr. Colman expressed that the committee has met and done some homework with regard to remodeling the downstairs of the Borough building. Mr. Colman explained that the Borough has some redevelopment money available to remodel and put two new bathrooms downstairs. The bids received have been rejected by the Committee and by the County because of the new plan that has come to head with regard to how the first floor

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
Wednesday, September 5, 2007
Page 2 of 3**

should be designed. The redevelopment committee is willing to work with the Building and Plant Committee for a third and final time. Mr. Colman asked for a motion to allow Joe Guzik and Associates to complete another redesign to get the bathroom situation in order. There was discussion about the proposed use of the first floor after the proposed renovation. Mr. Colman made a motion to authorize plans to redesign the bathroom. Mr. Williams seconded the motion and it carried 7-0.

Mr. Colman made a motion to accept bid from Moosic Associates to test the Borough Building for asbestos. Mr. Johnson seconded the motion and it carried 7-0.

Abington Area Joint Rec. Board – Presentation re: Master Site Plans: Al Urban, Clarks Summit's representative for AAJRB, discussed the Rec Board's maintenance and development of land near CS State Hospital. He introduced Paul Driscoll from URDC of Bethlehem Pennsylvania to go over the final Comprehensive Master Plan. The Master Plan was made possible through a grant. With a Master Plan, more grants will be available to the Joint Rec. Board in the future. Mr. Driscoll explained the phases to Council. Mr. Davis expressed concern with regard to the road usage around the Senior Center.

President Moyer stated that there is a seat open on the Abington Area Joint Rec. Board. Mr. Taylor made a motion to name Barb Grabfelder to the seat. Mr. Johnson seconded the motion and it carried 7-0. Mrs. Grabfelder's term will end December 31, 2008.

Resolution 2007-18 recognizing Senior Week: Mr. Taylor made a motion to accept the proposed Resolution. Mr. Colman seconded the motion and it carried 7-0.

POLICE REPORT

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

BILLS TO BE PAID:

A motion was made by Mr. Taylor to accept Bills to be paid as presented. Mr. Johnson seconded the motion and it carried 7-0.

OLD BUSINESS:

The Fire Department Agreement was reviewed. Mr. Johnson made a motion to accept the Agreement as presented. Mr. Davis seconded the motion and it carried 7-0.

The issue with the Grandview Solicitor will be discussed in an Executive Session following the Council Meeting.

NEW BUSINESS:

Minimum Municipal Obligation (MMO) for 2008 for the Clarks Summit Borough Non-Uniform Pension Plan to accept and adopt the MMO of \$17,103.00. Mr. Taylor made a motion to accept the MMO. The motion was seconded by Mr. Colman and carried 7-0.

Minimum Municipal Obligation (MMO) for 2008 for the Clarks Summit Borough Police Pension Plan to accept and adopt the MMO of \$43,345.00. Mr. Taylor made a motion to accept the MMO. Mr. Davis seconded the motion and carried 7-0.

Resolution 2007-19 – Application for modifying traffic signals will be addressed in Executive Session.

**BOROUGH OF CLARKS SUMMIT
REGULAR COUNCIL MEETING
Wednesday, September 5, 2007
Page 3 of 3**

Resolution 2007-20 – Authorization for Council to sign 2008-2010 Police Contracts. Mr. Taylor made a motion to grant the authorization. The motion was seconded by Mr. Colman and was carried 5-0 with Mr. Williams and Mr. Johnson abstaining.

Replacement Staff for Borough Office will be discussed in executive session.

BOROUGH SEWER OFFICE REPORT:

The August, 2007 Sewer Report by Virginia Kehoe was before Council. Mr. Davis made a motion to accept the report as presented. Mrs. Carey seconded the motion and it was carried 7-0.

SOLICITOR'S REPORT: None

CORRESPONDENCE: None

EXECUTIVE SESSIONS:

President Moyer reported that there was an Executive Session on August 27, 2007 and August 29, 2007. An Executive Session would also be held after a recess of this evenings meeting. The meeting would reconvene immediately following the executive session.

RECESS:

President Moyer called a recess in order for Council to go into Executive Session.

RECONVENE:

With the meeting reconvened, President Moyer asked for a motion regarding the Solicitor for Grandview. Gerry Carey made a motion that we continue to use Rosenn, Jenkins & Greenwald with Ernie Preate as second chair. Herman Johnson seconded the motion. Mrs. Carey, Mr. Johnson and Mr. Williams voted in favor of the motion. President Moyer, Mr. Taylor, Mr. Colman and Mr. Davis voted against the motion. With the votes 3-4, the motion did not carry.

Mr. Davis then made the motion that we continue with the current representation of Rosenn, Jenkins & Greenwald, with Joe Ferguson as lead counsel. The motion was seconded by Mr. Taylor. Mr. Taylor, Mr. Colman, President Moyer and Mr. Davis voted in favor of the motion. Mrs. Carey and Mr. Williams voted against the motion, and Mr. Johnson abstained. The motion carried 4-2.

ADJOURNMENT:

There being no further business before Council the Meeting adjourned at approximately 9:45 PM.

Respectfully submitted,

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

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