

**BOROUGH OF CLARKS SUMMIT  
BOROUGH COUNCIL MEETING  
OCTOBER 3, 2018**

The October 2018 Borough Council Meeting was conducted on October 3, 2018 at 7:00 P.M. The Meeting was held in Borough Council Chambers, 2<sup>nd</sup> Floor, 304 South State Street, Borough of Clarks Summit, County of Lackawanna and Commonwealth of Pennsylvania. Council members in attendance were Ms. Gerrie Carey, Mr. Frank Besten, Mr. Dominic Scott, Mr. Vincent Cruciani, Mr. Patrick Williams, Mr. David Jenkins, Mr. Bob Bennett, Police Chief Yarns, Mayor Johnson, Solicitor Kevin Hayes, and Borough Manager Virginia Kehoe.

**CALL TO ORDER:**

**President Carey**

**MEDITATION:**

**Mayor Johnson**

**PLEDGE OF ALLEGIANCE:**

**Mayor Johnson**

**1. APPROVAL OF AGENDA:**

David Jenkins made the first motion to approve the agenda, seconded by Dominic Scott, vote was 7-0.

**2. APPROVAL OF MINUTES:**

**President Carey**

- **August 29, 2018 Council Work Session** Bob Bennett made the first motion to approve the minutes, seconded by David Jenkins, vote was 7-0.
- **September 5, 2018 Council Regular Meeting** Bob Bennett made the first motion to approve the minutes, seconded by David Jenkins, vote was 7-0.

**3. PUBLIC COMMENT & INPUT:**

**President Carey**

James Taugher, 119 Maple Avenue complained about the tires at Kost Tire. Jenn Basalyga would look into the ordinance. The Safety Committee will look into this also. Herman Johnson stated that he thinks this is a safety issue. Pudge Adcroft, 406 Main Avenue spoke to council about the Stone Avenue Cemetery. She had help cleaning up that area and she was asking if the Borough would contribute to the cost of the cleanup. Council will take this under consideration. Theresa Barrett, 808 Ash Street spoke to council about the water problem at her daughter's house at 605 Meadow Avenue. The DPW put a berm to help with the issue; she thanked Council and the DPW. Mr. Taugher did address Council again about stormwater, Ms. Kehoe answered his questions.

**4. POLICE REPORT:**

**Mayor Johnson**

The Clarks Summit Borough Police Chaplin's probationary period of 6 months is up. David Jenkins made the first motion to approve the yearly appointment of Glenn Amos as the Police Chaplin, seconded by Dominic Scott, vote was 7-0.

**5. BIDS & QUOTATIONS:**

**President Carey**

- **Knapp Road Bridge** **\$39,920.00 to Fabcor, Inc:** David Jenkins made the first motion to accept the recommendation of the Borough

Engineer to go with Fabcor for the Knapp Road Bridge work, seconded by Frank Besten, vote was 6-0.

- **Elevator Lobby Windows** **\$1,310.38 to Mesko Glass:** David Jenkins made the first motion to approve Mesko Glass to fix the lobby windows, seconded by Vince Cruciani. Vince Cruciani asked what the performance window on the quote provided by the contractor. Ms. Kehoe didn't know. Mr. Cruciani amended his vote to allocate the money if the work can be done within the next two months (eight weeks) and David Jenkins agreed. Pat Williams suggested putting the lettering on the window. The vote was 7-0

## 6. **BOROUGH TREASURER'S REPORT**

**President Carey**

David Jenkins made the first motion to approve the Treasurer's Report, seconded by Dominic Scott, vote was 7-0.

## 7. **COMMITTEE REPORTS:**

- **Building & Plant** **Pat Williams, Chair**  
Pat Williams stated that Hudak did the chimney at no cost. The roof is still leaking. Check with Dunmore Roofing again. David Jenkins asked to send a letter of thanks to Hudak for their work. Vince Cruciani thinks that we should keep a list of contractors that do free work for the borough. Let the tax payers know in the quarterly sewer newsletter. Bob Bennett suggested putting Pudge Adcroft thanks in the newsletter also. Mr. Williams stated that they did finish Preate Park. Sending notes to Bolock because he supplied the electricity and another business supplied the water. He also wanted to thank Mark Toth.
- **Finance Committee** **Dominic Scott, Chair**  
performance first half – better than budgeted for Sewer and General funds.
- **Grant Committee** **Dave Jenkins, Chair**  
Watershed Restoration grant application from May rejected – Submitted LSA grant \$100,000 for police vehicles and \$200,000 borough office renovations.
- **Recycling Committee** **Bob Bennett, Chair 904**  
Report - DEP completed – 634.95 tons reported (increase from 572.31 last year). Pat Williams stated that the tire recycling at the DPW was very successful.
- **Insurance Committee** **Vince Cruciani, Chair -**  
Worker's Comp renewal: Vince Cruciani stated that the general liability renewed in June. We have a workman's comp policy, also an excellent policy with a very low premium all things considered. The problem is that the actuarial table have adjusted and will be adjusted for three years because of our police officer was on workman's comp. This will cost the Borough \$33,000 over three years. Vince Cruciani asked what the Borough's windfall was from the Knapp Road Bridge. Ms. Kehoe said that was around \$41,000, plus the windows this adds up to about \$43,000, so that leaves the borough with \$17,000. Mr. Cruciani made the first motion for the initial \$11,000 to be moved from the money allocated to the bridge, to go to cover this shortfall in the budget and the balance of it which would be \$6,000 to be moved into Capital Reserves, seconded by David Jenkins, vote was 7-0. Vince Cruciani made the first motion to renew the workman's comp policy, seconded by David Jenkins, vote was 7-0.
- **Personnel Committee** **Gerrie Carey, Chair**

- **Public Safety/Safety** Pat Williams, Chair  
 Pat Williams asked about Winola Road stormwater issue. Ms. Kehoe stated that we are waiting for a cost estimate from the engineer and Solicitor Hayes was going to determine our legal liability so we can determine how we are going to respond. Solicitor Hayes stated that we are going to fix culvert and we would then fix the pipe.
- **Recreation** Dominic Scott, Chair  
 Carnation Park is finished except for the punch list. The engineer wants to wait a couple weeks to see how it functions. Pat Williams asked Dominic Scott to consider providing mulch for a park.
- **Sewer Billing** Dominic Scott, Chair  
 We are taking care of the delinquent residents and shutting off water where necessary. Jenn Basalyga stated that there were a few checks return for insufficient funds and that's when we require a cash payment. Vince Cruciani asked if we are informed when a property is sold. The answer was yes there are various different ways. Jenn Basalyga looks on the assessor's office for updates on the homeowner changes.
- **ACOG Representative** Frank Besten/Gerrie  
 Carey/Dom Scott
- **Building plans committee** Gerrie Carey/Frank  
 Besten/Pat Williams – tour of Montrose Borough building
- **LCAB** Patrick Williams dinner
- **SAPA** Dave Jenkins – meeting 10/9  
 to review RFP's
- **Additional comments from Council:**  
 Dominic Scott thanked Council for the fruit basket that was sent to him after he was in the hospital. David Jenkins asked about Penndot spot patching Winola Road, he asked Pat Williams about this. Pat Williams said they would pave Winola in 2019. Bo Bennett asked about the paving company. Ms. Kehoe stated that the paving company came in at the beginning of the month got so far into the paving and disappeared. She had difficulty reaching the foreman then found out that he had a heart attack and was in the hospital. The paving company promised to be back in town paving by October 15<sup>th</sup>. Bob Bennett stated that he will not be at the next meeting. Vince Cruciani asked about Oakmont Road paving situation. There is essentially there is an island of unpaved streets and he doesn't think this is logical. He would like to see a pictorial of what Council is voting on with the paving. Clarks Summit from a bird's eye so they can see this. Frank Besten stated that they put in a great amount of time and energy as they pick out the streets that need paving the most. The DPW will also specifically ask for roads that need to be paved. Mr. Cruciani stated that it is not good practice to have islands in the same year.

8. **VENDOR PAYMENTS TO BE RATIFIED:** President Carey  
 Dominic Scott made the first motion to ratify vendor payments, seconded by Bob Bennett, vote was 7-0.

9. **OLD BUSINESS:** President Carey

- **Replacement for TCC / Alternate for Civil Service Commission:** Still need volunteers
- **Agreement to terms of EMA Agreement with Clarks Green:** Solicitor Hayes stated that the ball is in Clarks Green's court.
- **Ordinance 2018-04 Cooperative Agreement with Clarks Green**
- **Rebate for Julie Shygelski:** David Jenkins made the motion to reimburse her \$289.43, seconded by Bob Bennett, vote was 7-0.
- **Carol Drive – PPL land:** Discussion as to whether the Clarks Summit Borough wants to own the land or if PPL should remain the owner. David Jenkins stated that he thinks this should stay with PPL. Bob Bennett agrees with Mr. Jenkins. Pat Williams disagrees. Mr. Cruciani asked for the fire truck drive from Florence to the top of Carol and turn around. See functionally if he they can do this. He asked to table this vote to the work session. Herman Johnson stated that he thinks the ladder truck would bottom out. Mr. Jenkins disagrees. PPL may gate the access road. They would give the borough a key for the gate. Mr. Cruciani said we would need a chain on the gate that could be cut with a bolt cutter.

**10. NEW BUSINESS:**

**President Carey**

- A. **Resolution 2018-17 – EIT tax collection:** Bob Bennett made the first motion to approve Resolution 2018-17, Mr. Cruciani stated that you either have a group of un-elected appointed people that appoint a private company or you have the state lawmakers choosing state employees to do it. The vote was seconded by Pat Williams, vote was 6-1 with Vince Cruciani noting no.
- B. **Clark Ave Truck Restriction:** Mayor Johnson stated that there were two trucks on Clark Avenue. One was a delivery truck for Mark Toth. Mr. Toth explained that he can't park there. The second truck was using GPS and this brought him down Clark. The recommendation was not to have delivery trucks there. The Safety Committee will look into this.
- C. **Tahoe bid:** Ms. Kehoe stated that the Municibid for the Tahoe took place but we have not been able to contact the person who purchased the vehicle. Solicitor Hayes recommended that we wait on this and see what happens.
- D. **T Brennan partial payment:** Ms. Kehoe stated that they are looking for a payment of all but about \$10,000 payment. The engineer stated that everything is done except for the punch list. The engineer is not in a rush for the punch list because he wants to have some time to see how the rain garden works and making sure it is working properly. The engineer thinks that the request is reasonable. Vince Cruciani made the first motion to release the contracted amount less \$9,868, seconded by David Jenkins, vote was 7-0.
- E. **Tax Collector's position:** David Jenkins suggested that they leave this open to the worksession so they have time to advertise and interview then vote. Vince Cruciani suggested meeting with the applicants before the worksession. Then vote at the worksession. Mr. Cruciani suggested moving the meeting to Tuesday, October 30, 2018. If people submit their resume, Council members can individually call people. We have 30 days to fill the position. Mr. Cruciani stated that he doesn't want to appoint to someone who doesn't want to run for the tax collector position at the next election for continuity. Solicitor Hayes stated that the borough tax collector makes 1.5% and \$4 a bill from the school. So it is a \$26,000 a year job. Also the person would need to be bonded, take a class and

obtain the software. Vince Cruciani made a motion to make the advertisement, seconded by Bob Bennett, vote was 7-0. In the meantime, local taxes are coming to the Borough and Virginia Kehoe will responsibility of them, the school taxes go to the school district. Mr. Cruciani wants to make sure that the Estate of Kathy Drake receives the check for the work she had completed. As of right now Kathy Platt is helping out and receiving phone calls and questions about the school taxes. Scott Thorpe is another option. David Jenkins made the first motion on the advice of the Solicitor to approve Resolution 2018-18, seconded by Dominic Scott, vote was 7-0.

**11. SOLICITOR’S REPORT:** **Solicitor Hayes**  
Solicitor Hayes stated that he is working on the issues with the Senior Center. Mr. Cruciani said we can quiet title; if we do can we legally turn it over to Telespond.

**12. CORRESPONDENCE:**

- **Legislative Update: Emergency Procurements and stormwater:** Ms. Kehoe drafted letters, and asked for Gerrie Carey to authorize them. David Jenkins made the first motion to approve the letter concerning Emergency Procurements, seconded by Vince Cruciani, vote was 7-0. Vince Cruciani made the motion to approve House Bill 914 letter, seconded by David Jenkins, vote was 7-0.

**13. EXECUTIVE SESSIONS:** **President Carey**

- **Prior-** **September 26, 2108 Litigation**
- **During-** **None**
- **Subsequent-** **None**

**14. ADJOURN:** **President Carey**  
David Jenkins made the first motion to recess, seconded by Bob Bennett, vote was 7-0.