

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
AUGUST 15, 2018**

CALL TO ORDER: President Barrasse called the meeting of the Clarks Green Council to order at 7:00 p.m. with the Pledge of Allegiance.

ROLL CALL: Secretary Culbertson conducted roll call. The following were present: Mr. Rinaldi, Mr. Toms, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Barrasse, Mayor Lawler and Solicitor Weinschenk.

EXCUSED: Mr. Dougherty.

APPROVAL OF MINUTES: Mr. Barrasse entertained the motion to accept the minutes of the July 18, 2018 meeting. Mr. Hughes motioned, seconded by Mr. Toms. Mr. Williams, Ms. Igoe, Mr. Toms, Mr. Hughes, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Barrasse entertained the motion to accept the minutes of the August 1, 2018 Special meeting. Mr. Hughes motioned, seconded by Mr. Toms. Mr. Rinaldi, Mr. Hughes, Mr. Toms, Ms. Igoe, Mr. Williams and Mr. Barrasse voted in favor. Mr. Barrasse acknowledged a significant contribution made to the Mayor William Thorburn Memorial Fund from Maureen Thorburn and family.

VISITORS: Ben Freda, Abington Journal, CSPD Chief Chris Yarns, Stephen Sugerman, 301 Brighton Drive, Clem and Anna Rinaldi, 303 Brighton Drive, Anil Patel, 202 Squirrel Run.

MAYOR'S REPORT: Mayor Lawler asked Council to take a moment to remember our residents who we serve and those residents who are ill and/or facing serious challenges and those who passed on this month. Mayor Lawler received correspondence from Commissioner Pat O'Malley to our Council for remembering our veterans on Memorial Day and Scott Blanchard from Glenburn Road was the recipient of the Louis & Barbara Aleis Excellence in Scholarship Award, which recognizes and promotes the academic accomplishments of faculty members in terms of their scholarship and artistic achievements. Mayor Lawler recognized Councilman Keith Williams for receiving the 4-Way Test award, Abington Rotary Club's most prestigious award, for demonstrating civic leadership skills in the community. Mayor Lawler reported Mrs. Thorburn had chosen a teak bench with signage for Mayor Thorburn's Memorial and will be purchased from Country Casual Teak. Mayor Lawler stated she would like to commend PPL on their quick service for restoring electricity to all the residents after the recent storm. Mayor Lawler briefly talked about the dead deer situation which happened on Friday located at South Abington Road noting Chief Yarns immediately called PennDot for its removal and she visited the residents where the deer was located since she and Chief Yarns could not have the deer removed immediately. Mayor Lawler noted the issues associated with PennDot for not removing the deer immediately stating she wanted the residents to know that she and Chief Yarns made several calls to PennDot for the removal and that finally she spoke with the top staff member after an hour and half wait on Monday and in which the deer was finally removed. Mayor Lawler reported she met with the Shade Tree Committee and they will be resuming holding their monthly meetings starting in September. Mayor Lawler welcomed CS Police Chief Yarns to the meeting. Chief Yarns briefly reviewed the monthly police report and noted he has received a grant for a medical drop-off box for unused and expired prescriptions.

PUBLIC COMMENT: Stephen Sugerman, 301 Brighton Drive, reported on the stream behind his property and down to Old Orchard Road has been overflowing unto his property for the last year noting the last few months have been more due to recent storms and is coming closer to his house. Mr. Sugerman told Council among the water is debris with mosquitos, ground is sinking since there are pools of water and asked Council who maintains the stream. Mr. Sugerman was not sure if it was the Borough's responsibility or OLP noting he has a video to show how the water is flowing. Mr.

Williams stated he is aware of the situation and Dave Kohinsky was going to check on it and he will follow-up with Dave Kohinsky and will get back to him. Mr. Sugerman shared pictures of the situation on his phone with Council. Clem Rinaldi, 303 Brighton Drive, reported to Council the same thing as Mr. Sugerman noting the storm drains cannot handle the water runoff and his sump pump runs continuously. Mr. Rinaldi stated the stream was really suppose too be a swale but it is all overgrown and it is backing up. Mr. Rinaldi told Council last year he bought some shade trees and they are all dead since they cannot survive in all that water. Anna Rinaldi, 303 Brighton Drive, told Council they had severe damage to their basement and it is not an isolated incident. Mrs. Rinaldi stated she was once told that the property was owned by St. Gregory's and called Father John but was told it was not their property but it was the Borough's property. Mrs. Rinaldi stated they just want to know who owns the trench/swale. Mr. Barrasse stated the Borough will have to investigate it. Councilman Rinaldi asked if a survey was done on their property and noted if he had to say the property belongs to the Diocese of Scranton since finding out with the expansion of the St. Gregory's an easement had to be done with the Diocese of Scranton and not with St. Gregory's Church. Mr. Rinaldi stated he would have to check to see if his property had been surveyed. Anil Patel, 202 Squirrel Run, reported Mr. Kohinsky came to his property and was shown the water issues and noted later in the afternoon after it rained his basement was flooded and displayed pictures from his phone to Council on his ongoing water situation. Mr. Patel asked Council if they can help in anyway with his neighbor because of the storm water runoff from her property. Solicitor Weinschenk commented by stating he is not familiar with this specific issue but told Council it is a neighbor to neighbor issue. Mr. Barrasse mentioned maybe the borough engineer can go check it out but we would need permission from the neighbor before going on her property. Mr. Williams told Council he will contact the neighbor and ask for permission to go on her property and told Mr. Patel he will update him on the situation.

PUBLIC WORKS: Mr. Williams gave an update on the Crest Drive project stating Dave Kohinsky has been in contact with the Borough engineer on the process of doing it in-house and the equipment needed. Mr. Williams told Council of a conversation he had with Mayor Lawler and Mr. Keenan, stating he is the grandson of Mrs. Mastroianni, and discussed the Crest Drive pipe situation. Mr. Williams stated Keenan stated it is the Borough's responsibility since the Borough is having a drainage problem including the pipe that runs through that property. Solicitor Weinschenk stated it is their responsibility since it is their property and we have no easement or requirement to maintain it. Discussion took place with the other properties involved in this Crest Drive project and the Solicitor Weinschenk stated temporary construction easements are needed along with another document stating the property owner will be responsible for the swale maintenance. Mayor Lawler discussed her conversation with Mrs. Mastroianni along with Mr. Keenan. Mr. Toms asked if the easement agreements are done. Solicitor Weinschenk stated he cannot do the documents unless he knows the description of the easement areas along with the property owners and that is supplied by the engineer. Mr. Toms asked Council why this is not done since the engineer has been down the site at least five (5) times and we still don't have this information. Mr. Williams stated he had just talked to the engineer this week and verbally gave him the go ahead to supply the Solicitor with the necessary information. Mr. Williams informed Council that Mr. Rinaldi and I had a conference call with Superintendent Mr. Mahon, Eric Elliott and James Mirabelli from the AHSD concerning the sinkholes near their maintenance garage and the fact the sewer line needs to be fixed. Mr. Williams reported the application for payment for the remaining balance for the 2017 work done at N. Abington Road and Armstrong Street have been submitted by American Asphalt for the amount of \$6,918.50 noting the bill has been approved and the work has been done. Mr. Williams motioned to have Council authorize the payment for the American Asphalt invoice in the amount of \$6,918.50, seconded by Mr. Toms. Mr. Rinaldi, Mr. Hughes, Mr. Williams, Mr. Toms, Ms. Igoe and Mr. Barrasse voted in favor.

SOLICITOR'S REPORT: Solicitor Weinschenk told Council he gave Secretary Culbertson the original transcript for the public hearing held July 18, 2018 regarding the conditional use application by the Diocese of Scranton on behalf of St. Gregory's Parish for the construction of the parish ministry center. Solicitor Weinschenk informed Council the map, deed and easements have been recorded but

does not know if the permits have been issued and will need to contact the zoning officer for an update. Solicitor Weinschenk reported the approval letter for the conditional use and land development plan was sent to Atty. Lavelle. Solicitor Weinschenk reported on the request from Mr. Hughes regarding if a 501C3 organization requires an audit. Solicitor Weinschenk stated under the IRS Code there is no requirement for an audit under PA nonprofit corporation law there is a requirement depending upon the gross contributions to the organization on an annual basis if the contributions are below \$100,000 there is no requirement for either an audit, review or a compilation. Solicitor Weinschenk further stated if the contributions are from \$100,000 to \$250,000 they need at a minimum a compilation and \$250,000 to \$750,000 they need a review or an audit, \$750,000 will need an audit.

TREASURER’S REPORT AND BILL APPROVAL: Mr. Hughes reported on the checking account balances with comparisons to last month and last year. Mr. Hughes pointed out to Council the CSPD contract for \$6,866.66 has been paid along with Waverly Township sewer pass thru fee for the amount of \$9,360. Mr. Rinaldi stated there are approximated eight (8) residents and their sewer charges to the Borough are approximately \$600 noting it is an expensive pass thru and basically, the Borough is paying Waverly \$800 plus. The Treasurer’s report was presented by Mr. Hughes and filed for audit. Current fund balances are as follows:

Capital Fund Money Market	\$	99,404.93
General Fund Checking		358,519.75
General Fund Money Market		35,272.84
Sewer Fund Checking		278,208.63
Sewer Fund Money Market		34,987.00
Sewer – FNCB CD		50,054.93
Sewer – Wayne Bank CD		50,669.36
State Funds Checking		<u>61,784.97</u>
Total Checking/Savings	\$	968,902.41

With no questions from Council Mr. Hughes motioned, seconded by Mr. Williams to accept the Treasurer’s report and ratify the payment of the bills. Mr. Toms, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Hughes then presented the Budget vs. Actual report comparing balances on the report to amounts to last year. Mr. Hughes told Council total expenses are \$16,000 higher due to the \$25,000 in road work including rock salt increased for the amount of \$11,000. Mr. Hughes reviewed the sewer delinquency report noting sewer delinquencies of \$1,806 has been collected. Mr. Hughes told Secretary Culbertson to send the second set of letters to the seven (7) residents who have not paid on their delinquent sewer accounts by the end of month and to include the Third Quarter billing. Mr. Hughes informed Council Mr. Dougherty will be checking the bank reconciliation statements for the rest of the 2018 year and our DPW recycled scrap metal received \$225.40 in cash.

BUILDINGS & GROUNDS: Mr. Toms told Council the DPW crew has been working at Yale Boulevard and stated by the end of next week they will start working on line painting. Mr. Toms reported he will have the DPW crew work on some fall projects such as tree trimming and small painting jobs at the Borough building.

PERSONNEL: Mr. Williams informed Council there is no report. Mr. Rinaldi asked Mr. Williams if he received Joanne Pesota’s vacation schedule. Mr. Williams reported yes and Mr. Rinaldi asked for it to be shared with all of Council. Mr. Williams agreed.

REFUSE & RECYCLING: Ms. Igoe reported she is in the process of arranging a Tire Recycling Event and like the past, is trying to combine with the Clarks Summit Borough. Ms. Igoe presented the quote for leaf bags informing Council there has been a 16% increase in price explaining caused by

other boroughs banning plastic bags for leaf disposal driving up the cost. All of Council agreed with the quote and instructed Secretary Culbertson to order.

HEALTH & SAFETY: Mr. Rinaldi updated Council on the traffic signal upgrade stating the engineer responded to the comments PennDot had sent in regards to the submitted application. Mr. Rinaldi motioned to adopt Resolution No. 2 of 2018, seconded by Mr. Hughes. Mr. Toms, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

RESOLUTION NO. 2 OF 2018
Borough of Clarks Green
Lackawanna County, Pennsylvania

BE IT RESOLVED, by authority of the Borough Council of the Borough of Clarks Green, Lackawanna County (the "Municipality") and it is hereby resolved by authority of the same that the President of Borough Council of said Municipality is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the Municipality.

ATTEST:

/s/ Joanne Culbertson
Joanne Culbertson, Secretary

Borough of Clarks Green
by: /s/ Joseph Barrasse
Joseph Barrasse
President, Clarks Green Borough Council

I, Joanne Culbertson, Secretary of the Borough of Clarks Green, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Clarks Green Borough Council, held the 15th day of August, 2018.

Date: August 15, 2018

/s/ Joanne Culbertson
Joanne Culbertson, Secretary

Mr. Barrasse recognized the effort of Councilman Rinaldi, Mayor Lawler and CSPD Chief Yarns for the additional security cameras installed at Our Lady of Peace School. Mr. Rinaldi notice many areas of the building were not monitored by cameras and contacted a friend to donate the equipment.

ARWA: Mr. Rinaldi reported the WET testing has been completed at a cost of \$4,000 noting the testing results came back fine and there is a request to DEP to return to annual testing. Mr. Rinaldi told Council ARWA is bidding its sludge hauling with deadline of September 12th bid submission. Mr. Rinaldi informed Council the Authority talked about a tapping fee revision. The amount of tapping fees is based on a formula depending upon the value of the facility. Mr. Rinaldi stated the value of the facility gets diminished by the loans that ARWA is paying back. When ARWA did the calculations, it the increase would only be \$6.00 noting the Authority will revisit this another time once debt decreases. Mr. Rinaldi reported the ARWA treated a record daily amount of wastewater, 22 million gallons caused by the recent rainfall. Mr. Rinaldi that event produced at the intersection of Route 6 and Abington Road noting six (6) to eight (8) inches of water within five minutes. Mr. Rinaldi told Council when we have a rain event, the system experiences volume spikes and it is unlikely the spikes would be caused by water leaching into the pipes. Mr. Rinaldi told Council ARWA discussed that several communities along with ours, Clarks Summit and South Abington Township are trying to reduce inflows and reviewed the sewer shed map on the wall. Mr. Rinaldi told Council inflow comes from two (2) sources, stating one is someone connecting to the sewer system and pumping water in and inflow from unsealed manholes. Mr. Rinaldi suggested that the municipalities try two (2) things, sealing the manholes, and two, is to try to determine which portion of the sewer shed has the most spikes from inflow since the area with the higher spikes is the one with

the most inflow. Mr. Rinaldi told Council both South Abington Township and Clarks Summit are interested in leasing a flow meter through ARWA noting they would be able to determine where the worst areas of inflow are and be able to eliminate them.

GRANT: Mr. Barrasse reported in Mr. Dougherty's absence that Resolution No. 3 of 2018 needs to be adopted for the replacement of two (2) plow vehicles one at \$64,000 and \$93,000 for a total of \$157,000. Mr. Barrasse entertained a motion for the Borough Council of Clarks Green to authorize the Board of Commissioners of Lackawanna County to submit a local share account of Monroe County Grant application for two (2) vehicles in the amount of \$157,000 on behalf of Clarks Green Borough. Mr. Hughes motioned, seconded by Mr. Williams. Mr. Rinaldi, Ms. Igoe, Mr. Toms, Mr. Hughes, Mr. Williams and Mr. Barrasse voted in favor.

RESOLUTION NO. 3 OF 2018

BOROUGH OF CLARKS GREEN LACKAWANNA COUNTY, PENNSYLVANIA

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CLARKS GREEN AUTHORIZING THE BOARD OF COMMISSIONERS OF LACKAWANNA COUNTY TO SUBMIT A LOCAL SHARE ACCOUNT MONROE COUNTY GRANT APPLICATION FOR VEHICLES (2) TRUCKS IN THE AMOUNT OF \$157,000 ON BEHALF OF CLARKS GREEN BOROUGH.

WHEREAS, the County of Lackawanna has elected to submit an application for Local Share Monroe County grant funds in the amount of \$157,000 on behalf of Clarks Green Borough; and,

BE IT FURTHER RESOLVED that the Borough of Clarks Green and its Council/Officials have and will continue to cooperate with the County in obtaining all necessary information to be included in said application and will designate Joseph Barrasse, as President of the Clarks Green Borough Council, as an authorized official to sign and/or execute any and all documents in relation to this application and potential award;

CERTIFICATION

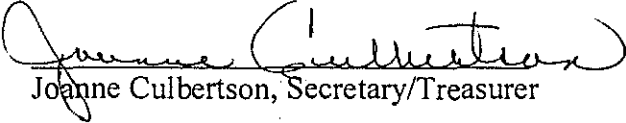
The foregoing is a true and certain copy of a Resolution adopted by the Clarks Green Borough Council at the regular meeting held on the 15th day of August, 2018.

/s/ Joanne Culbertson
Joanne Culbertson, Borough Secretary

OLD BUSINESS: Nothing to report.

NEW BUSINESS: Mr. Rinaldi told Council to go forward with the latest draft of the Joint Emergency Management Plan Agreement by allowing Solicitor Weinschenk to send it to Clarks Summit Borough. Mr. Rinaldi motioned to submit the revised contract for the joint Emergency Management Plan with Clarks Summit Borough, seconded by Ms. Igoe. Mr. Williams, Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Toms and Mr. Barrasse voted in favor. Mr. Rinaldi reported on the August 7th lightning struck the Kayal residence at 304 Rabbit Run describing the severe damage sustained from the lightning noting Mrs. Kayal and her two (2) children were in the house when the bolt struck. Mayor Lawler reported on a house located at 254 E. Grove St. stating the resident would like to change the zoning from R1 to R2 because she is having a hard problem selling it and asked Council what is the procedure for this change. Mr. Barrasse suggested she contact an attorney and then present to the Borough Council her request.

MOTION FOR ADJOURNMENT: Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Rinaldi motioned, seconded by Ms. Igoe to adjourn the meeting at 9:18 P.M. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
Agenda

August 15, 2018

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE- President Barrasse
2. ROLL CALL- Secretary Culbertson
3. MOTION TO ACCEPT MINUTES
July 18, 2018 and the Special Meeting August 1, 2018
President Barrasse acknowledgement for the significant contribution from Maureen Thorburn and Family to the Mayor Bill Thorburn's Memorial Fund
4. MAYOR'S AND POLICE REPORT, FIRE & AMBULANCE
Mayor Lawler, Clarks Summit Police Chief Yarns
Clarks Summit Fire Co. President Mike Lukus, Chief Jay Miller, EMS Corey Colarossi
5. PUBLIC COMMENT
Visitors should approach the podium and state their name and address. Comments limited to 5 min
6. PUBLIC WORKS COMMITTEE – Mr. Williams
Crest Dr project, Yale Blvd, American Asphalt bill. Grove St Sinkhole
7. SOLICITOR'S REPORT – Mr. Weinschenk
8. TREASURER'S REPORT AND BILL APPROVAL – Mr. Hughes
9. FINANCE COMMITTEE – Mr. Hughes
Sewer Account Delinquencies & Payments
10. BUILDINGS & GROUNDS COMMITTEE – Mr. Toms
11. PERSONNEL COMMITTEE– Mr. Williams
12. REFUSE & RECYCLING COMMITTEE– Ms. Igoe
13. HEALTH & SAFETY COMMITTEE-Mr. Rinaldi
Green Light Go Grant
Resolution #2 of 2018 – Application for Traffic Signal Approval to the PA Dept. of Transportation
14. ABINGTON REGIONAL WASTEWATER AUTHORITY REPORT – Mr. Rinaldi
Borough Sewers/ Cap Discussion
15. GRANT COMMITTEE- Mr. Dougherty
Resolution #3 of 2018 – Authorizing the Board of Commissioners of Lackawanna County to submit a grant application for Local Share Monroe County grant fund for the Borough of Clarks Green
16. OLD BUSINESS
17. NEW BUSINESS
Emergency Management Plan issue- Intergovernmental Agreement
18. ADJOURNMENT

NOTE TO VISITORS: Please sign the attendance sheet and indicate if you wish to address Council, stating the agenda topic on which you would like to comment. Thank you.