

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
SEPTEMBER 19, 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. Dougherty, Mr. Barrasse and Mayor Lawler.

EXCUSED: Solicitor Weinschenk.

APPROVAL OF MINUTES: Mr. Barrasse entertained the motion to accept the minutes of the August 15, 2018 meeting. Mr. Hughes motioned, seconded by Mr. Rinaldi. Mr. Williams, Ms. Igoe, Mr. Toms, Mr. Hughes, Mr. Dougherty, Mr. Rinaldi and Mr. Barrasse voted in favor.

VISITORS: Rebecca Kennedy, PennVest, CSPD Police Officer Pat Gibbons, Art Jordan and Alysha Marzani, 281 Short Hill Drive, Ben Freda, Abington Journal, Gerard Hetman, Lackawanna County Outreach and Marnie Palmer, 280 East Grove Street.

MAYOR'S REPORT: Mayor Lawler asked Council to take a moment to recognize the privileges to serve the residents of Clarks Green Borough. Mayor Lawler told Council she will be attending the Lackawanna County Association of Borough meetings tomorrow night and welcomed fellow Council members. Mayor Lawler noted she will be attending the Taste of the Abington sponsor by the Rotary Club, September 30th along with completing the Blighted Properties Survey stating the Lackawanna County Land Bank is in partnership with NeighborWorks Northeastern PA in developing a comprehensive strategy for addressing blighted properties. Mayor Lawler reported the Shade Tree Commission resumed their meetings with Chairman Peter Giermanski, Thursday, September 13th after a summer break updating Council on the fall planting. Mayor Lawler announced to Council the 6 ft. Windermere bench honoring Mayor Thorburn has been order along with the plaque noting Maureen Thorburn helped with the signage. Mayor Lawler welcomed CS Police Officer Pat Gibbons to the meeting. CS Police Officer Gibbons briefly reviewed the monthly police report. Mr. Rinaldi asked about the recent accident which a pedestrian was struck at the corners and questioned whether the person driving the vehicle was a resident. CS Officer Gibbons stated both were residents. Mr. Toms thanked Officer Gibbons for his excellent work noting he had recently received a citation and all of Council offered their congratulations and personally thanked him.

PUBLIC COMMENT: Marnie Palmer, 280 East Grove St., addressed Council on why the Borough office was closed for two (2) consecutive days stating her intention was to pick-up the ACOG mail. Ms. Palmer cannot understand why if one (1) office employee is on vacation why the other office employee cannot cover stating our taxpayers deserve better. Council thanked Ms. Palmer but nothing was said or offered by Council addressing her concern. Art Jordan, 281 Short Hills Drive, told Council he has just moved back to the Clarks Green. Recently, he has noticed a constant water flow from the top of the elevation of the road on top of Short Hill Drive noting even when it is dry there is still water. Mr. Jordan requested installing a catch drain above his house and his neighbor's house to help alleviate the problem noting he has pictures and videos. Mr. Williams, Chair of DPW asked for his information so he can be in contact with him in reviewing the problem. Mr. Rinaldi introduced Rebecca Kennedy stating she agreed to address Council about PennVest's borrowing opportunities to finance the Borough's MS4 Stormwater projects. Ms. Kennedy gave an overview of PennVest, Pennsylvania Infrastructure Investment Authority, Ms. Kennedy explained Penn Vest's low-interest loans for design, engineering and construction of publicly and privately-owned drinking water distribution and treatment facilities, storm water conveyance and wastewater treatment and collection systems. Funding packages up to \$11 million per project for one municipally; Up to \$2 million for

upfront (5 year load) design and engineering; Up to 100% of the eligible project costs; Average project size is \$1.5 million. Depending upon the county/area to be served by the project 1% to 5% and the resulting residential user rate and length of repayment is usually twenty (20) years. Disbursement made monthly based upon submittal invoicing and reimbursable expenses. Ms. Kennedy told Council based on Census median household income for Clarks Green Borough is \$70,000 and the households within Clark Green is approximated 600 about \$175 per year per household considered to be an affordable rate so if a project loan of \$250,000 is needed it would the cost the Borough \$1100 a month, \$2 per household a month based on amortization schedule of twenty (20) years. Ms. Kennedy told Council the project needs to be shovel ready. Council asked Ms. Kennedy several questions in regard to finance on the future stormwater projects within the Borough and thanked her for coming Clarks Green informing them of this valuable information.

LACKAWANNA COUNTY COMMUNITY RELATIONS: Mr. Hetman briefly reviewed the events scheduled for the County noting "Parents a 2nd Time" support group for older adults raising children of a family member. Mr. Hetman stated you learn about the potential resources, community programs and services, and agencies available to provide connections, guidance and peer support to older persons who are living with, caring for and parenting the children of loved ones. Mr. Hetman reported the tentative budget for Lackawanna County will be available in October. Mr. Rinaldi asked Mr. Hetman if the County would consider having a budget meeting in our Borough. Mr. Hetman stated the County appreciates the invitation and will relay the message to the meeting scheduler.

PUBLIC WORKS: Mr. Williams gave an update on the Crest Drive project stating supplies have been ordered noting the inlet box had to be changed to a different size after further reviewing the project. Mr. Williams told Council work is continuing on Yale Boulevard noting eight (8) lbs. of binding material has been used and Dave Kohinsky feels the project will be completed in three (3) more days. Mr. Williams informed Council the DPW will be finishing painting the lines on the remaining crosswalks by this Friday. Mr. Williams updated Council on the MS4 Report that will be due on September 30th for DEP noting Zachary Smith is currently work on it to meet the deadline. Mr. Williams motioned to include the \$500 annual installment fee to the Bureau of Clean Water from the Department of Environmental Protection needed in submitting the MS4 Report. Mr. Hughes and Mr. Barrasse both agreed that Council does not need to vote on this motion since it had been paid in the past and it is in our yearly budget. Mr. Williams withdrew the motion on the floor. Mr. Barrasse and Mayor Lawler suggested to Mr. Williams the Clarks Summit Police Dept. should be informed that the crosswalks are to be painted and, if available with traffic control. Mr. Williams agreed. Mr. Barrasse reported to Council the crosswalks at Our Lady Of Peace School were painted earlier the Clarks Summit Borough Manager, Virginia Kehoe had one (1) of their DPW staff assist with the line painting suggesting Mr. Williams send a thank you letter while stating the Borough might be charged for a few hours of labor by Clarks Summit Borough. Mr. Williams stated he will take care of it. Mr. Rinaldi noted that he never recalled having the Police Department assist when the crosswalks were painted noting several years ago the DPW crew was sent to Traffic Control training. Mr. Rinaldi pointed out that two (2) of the new DPW staff did not have this training but wanted all of Council to know the history. Mr. Barrasse stated it will be safer and noted when the DPW staff is missing a crew member it helps and since we had this recent accident I would like to get it done as soon as possible. Mr. Barrasse explained he was hoping to have had it done earlier when Ms. Kehoe sent one (1) of their employees but it did not happen. Mr. Rinaldi stated that is why scheduling is crucial. Mr. Williams per request from Council brought up the single bid for the 2018 Paving Project from American Asphalt for the amount of \$108,451 since it was the consensus of Council at the work session to postpone the paving until next year. Mr. Hughes stated it would be healthier if there is more than one (1) bid. Mr. Barrasse agreed. Mr. Barrasse informed Council that UGI will be repairing Glenburn Road correctly after getting several complaints along with temporarily fixing Maple until spring noting, after a discussion with an UGI representative, most paving companies have been charging larger fees for paving work at this time of the year. Mr. Williams stated next year we will again advertise for bids in the early spring to receive more bids and competitive pricing. Mr. Rinaldi asked

if UGI have applied for pave cut permits. Mr. Barrasse stated he had asked the same question to the representative and was told once the utility called PA One Call per their supervisors they need not get one from the Borough office. Mr. Toms stated the pave cut permit needs to be revisited along with a letter sent to all utility companies. Mr. Hughes requested that this topic be put on the work session agenda.

SOLICITOR'S REPORT: No report.

TREASURER'S REPORT AND BILL APPROVAL: Mr. Hughes reported on the checking account balances with comparisons to last month and last year. The Treasurer's report was presented by Mr. Hughes and filed for audit. Current fund balances are as follows:

Capital Fund Money Market	\$	99,407.46
General Fund Checking		362,658.33
General Fund Money Market		35,273.44
Sewer Fund Checking		215,159.13
Sewer Fund Money Market		34,987.59
Sewer – FNCB CD		50,054.93
Sewer – Wayne Bank CD		50,669.36
State Funds Checking		<u>61,790.72</u>
Total Checking/Savings	\$	910,000.96

With no questions from Council Mr. Hughes motioned, seconded by Mr. Dougherty to accept the Treasurer's report and ratify the payment of the bills. Mr. Toms, Mr. Dougherty, 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 \$26,000 less than a year ago and the net income is \$15,000 higher than a year ago. Mr. Hughes reviewed the sewer delinquency report noting sewer delinquencies of \$2,500 been collected. Mr. Hughes reported out of the (12) certified delinquent sewer letter mailings we have received six (6) payments only. Mr. Hughes reported to Council \$1,748 has been received from the 2016 Recycling Performance Grant and that our 2017 Liquid Fuels Audit was clean. Mr. Hughes reported that the 2018 Audit was sent to DGK in preparation of pricing our insurance for the 2019 coming year. Mr. Hughes reported we have received the 2018 Commonwealth state aid allocation supporting the Volunteer Fire Relief Association for the amount of \$8,153.15 and proceeds from this allocation must be paid within sixty (60) days to the Clarks Summit Fire Company who provide the fire service. Mr. Hughes stated the check will be sent in October. Mr. Hughes informed Council the finance committee will be starting working on the 2019 Budget and anticipates it will be presented at the November meeting.

BUILDINGS & GROUNDS: Mr. Toms told Council the DPW crew has started preparing for winter. Mr. Toms stated once the leaves fall the DPW crew will work on trimming the tree in front of the Borough building. Ms. Igoe asked if the Borough will be placing mums outside along with trimming the bushes. Mr. Toms stated he will look into purchasing mums.

PERSONNEL: Mr. Williams informed Council there is no report.

REFUSE & RECYCLING: Ms. Igoe reported the leaf bags have arrived along with the 2016 Recycling Performance Grant check. Ms. Igoe stated Mr. Barrasse suggested to have the distribution of leaf bags on October 6th since he would be available to participate but Ms. Igoe stated she will need to verify the dates with the volunteers who help with the distribution of the leaf bags. Mr. Barrasse stated he would like to inform the residents on the stormwater issues so he will work on a flyer to distribute with the leaf bags.

HEALTH & SAFETY: Mr. Rinaldi reported September 17th PennDot approved the plans for the upgrading of the Borough traffic signals noting the design work for the traffic light signals and all the necessary documentation has been completed and the invoice for L & V Engineering for the amount of \$4,800 has been paid.

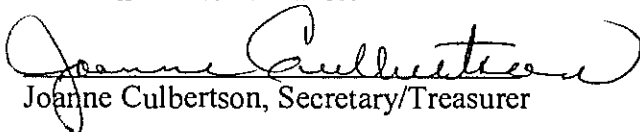
ARWA: Mr. Rinaldi briefly reviewed the hi-flow event when approximately 22 million gallons per day of influent was treated by the wastewater treatment plant from just under four (4) inches rain August 14th. Mr. Rinaldi updated Council on the installation of the flow meters noting there was a delay as a result of the rain and the new date will be September 28 or 29th. Mr. Rinaldi told Council ARWA was approached by Northeast Benefit Administrators who resulted submitting health benefit proposal. Mr. Rinaldi informed Council the sludge hauling bids were open noting only two (2) were received from the current hauler, Waste Management and J.P. Mascaro. J.P. Mascaro was awarded the contract based upon the lower bid. Mr. Rinaldi told Council there is an opening for a maintenance worker and presently there are twenty-three (23) applications and applications are still being accepted.

OLD BUSINESS: Mr. Barrasse reviewed the non-payment of the AAJRB agreement contribution. Mr. Hughes stated we had not paid them for 2016 and 2017 because they did not have an audit and their budget was not approved. Mr. Dougherty questioned whether or not if they had ever been invited to attend a work session to talk about the issues. Mr. Hughes told Mr. Dougherty, Bill Risse contacted him several times but he had suggested to him to contact the former President of Council, Mr. Williams. Mr. Williams stated he was never contacted by Mr. Risse. Mr. Barrasse noted he had received some calls from the PA Auditor General, Eugene DePasquale noting “an audit does not need to be done” and possibly some action might occur if this is not rectified. Mr. Dougherty and Mr. Barrasse agreed that it will be the benefit to Council if we can reach some type of agreement and move forward with AAJRB since it seems they are spreading untruths. President Barrasse stated one (1) meeting was setup at South Abington Township but we did not attend the meeting since we were not satisfied with the agenda and noted one (1) other meeting with the help from Clarks Summit’s Borough Manager, Ms. Kehoe was then setup but Mr. Rinaldi could not attend due to his obligation to ARWA. Mr. Dougherty verified that the other members of the agreement have been contributing their shares noting Clarks Green has not. Mr. Hughes reviewed the past contributions and talked about “what amount should we really be contributing” because they really receive precious little contributions from the users of those facilities. Mr. Hughes stated we really need to discuss if we really want to contribute over \$5,000 for recreation facilities. Mr. Dougherty stated he would like to have the AAJRB come to Clarks Green Borough to discuss the issues and work this out noting a lot of people are talking about it. Mr. Toms stated “are we requiring them to do this audit, even though they legally do not have too” noting from the previous meeting Solicitor Weinschenk stated they are not required to do the audit. Mr. Hughes stated they are not legally required to do it but noted “what is the best business practice of an organization”. Mr. Hughes stated after talking with a director after the 2015 audit was finally done he was told they were very grateful for the audit because it was a scathing audit. Mr. Barrasse read over his notes concerning the requirements for an audit along with Mayor Lawler reading the August 15, 2018 minutes were Solicitor Weinschenk reported on the requirement of an audit for a 501C3 organization. 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. Mayor Lawler told Council she is always getting confronted on “why we are not paying the contribution to AAJRB”. Mr. Hughes stated the CPA, Robert Saunders has cleaned up their financials considerably. Mr. Hughes noted Mr. Saunders is a volunteer then followed a discussion with several Council members on volunteers versus full-time employees. Mr. Rinaldi told in the budget and summary noting the revenue for last year was only \$1500 or approximately \$125 per month Mr. Rinaldi told Council they should be charging fees for the use of the facility. Mr. Rinaldi explained the AAJRB every year tells

the member municipalities their contributions noting the Board consists unelected people determining where tax dollars are spent. Mr. Rinaldi stated the Board dictates what the contribution should be and not the member municipalities-Mayor Lawler stated this issue has been on the table for a long time and something needs to be done this does not play good with the public. Mayor Lawler discussed the time the borough building office was closed since there was no coverage for vacation stating this also does not work for the public and several members of Council agreed. Mr. Barrasse went back to subject of AAJRB and told Council perhaps a meeting can be setup and if possible maybe we can come to an agreement if not an audit at least a review or compilation can be done. Mr. Barrasse told Council he will see if a meeting can be arrange before the next work session and the possibility of changing the day of the work session. Several members of Council talked about the cost of the audit being a detriment in why it is not being done and Mr. Hughes stated an audit was always done up to 2015 and member municipalities basically paid for audit with their contributions but now, they are taking the contributions and allocating it for something else. Mr. Rinaldi motioned to advertise an RFP for engineering services for Clarks Green Borough and then will interview a number of finalists and the final decision will be made by Council by January 2019, seconded by Mr. Hughes. Mr. Williams, Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Toms, Mr. Dougherty and Mr. Barrasse voted in favor. Mr. Hughes verified they will be NASSCO certified and Mr. Rinaldi stated yes.

GRANT: Mr. Dougherty announced to Council that the Borough has received a \$200,000 grant to complete a sanitary sewer line survey and to rehabilitate portions of the sanitary system that require repair. Mr. Barrasse noted we will have thirty-six (36) months to complete the project. Mr. Barrasse explained the total cost of the project, including engineering and administrative fees, is \$275,050 and the borough applied for the amount of \$233,792. Mr. Hughes agreed. Mr. Barrasse thanked everyone, along with Senator Blake, Representative Flynn and Mayor Lawler. Mayor Lawler told Council she will send a note of thanks to all involved who made this happen. Mr. Rinaldi told Council last week he noticed in the Scranton Times-Tribune there was an article concerning Clarks Summit Zoning Board concerning the possibility of placing light at Ackerly field and some neighbors did not want the lights so the Zoning Board did not allow the variance. Mr. Rinaldi proceeded to tell Council one of the local judges sent it back to the Zoning Board vacating its previous decision. Mr. Rinaldi stated to Council he wanted them to be aware the Borough's zoning board is subject to review.

MOTION FOR ADJOURNMENT: Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Rinaldi motioned, seconded by Mr. Williams to adjourn the meeting at 9:14 P.M. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING

Agenda

September 19, 2018

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE- President Barrasse
2. ROLL CALL- Secretary Culbertson
3. MOTION TO ACCEPT MINUTES
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
4. PUBLIC COMMENT
Rebecca Kennedy- Penn Vest
Visitors should approach the podium and state their name and address. Comments limited to 5 min
6. PUBLIC WORKS COMMITTEE – Mr. Williams
Crest Dr., Yale Blvd, Crosswalks
7. SOLICITOR'S REPORT – Mr. Weinschenk will be absent.
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
14. ABINGTON REGIONAL WASTEWATER AUTHORITY REPORT – Mr. Rinaldi
Borough Sewers/ Cap Discussion
15. GRANT COMMITTEE- Mr. Dougherty
16. OLD BUSINESS
AAJRB discussion; Borough Engineering Services;
PA Small Water and Sewer Grant!!!
17. NEW BUSINESS
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.