

**CLARKS GREEN BOROUGH  
COUNCIL MEETING  
JULY 17, 2013**

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

**ROLL CALL:** Secretary Brown conducted roll call. The following were present: Mr. Alberigi, Mrs. Earley, Mr. Hughes, Ms. Palmer, Mr. Phillips, Mr. Rinaldi, and Mayor Thorburn.

**EXCUSED:** Solicitor Weinschenk

**APPROVAL OF MINUTES:** Mr. Rinaldi motioned, seconded by Mr. Hughes to approve the minutes of the June 19, 2013 Council meeting. All in attendance voted in favor.

**MAYOR'S REPORT:** Mayor Thorburn reported on traffic citations issued during the month. Officer Kriedler, South Abington Police Department, noted that 25 citations were issued, mostly for speeding on Fairview Road. Mayor Thorburn reported that he performed a marriage between Paul McHale and Mary Nickel in June. There was no charge as the groom is a relative of the Mayor. In addition, the Mayor discussed the progress that the Centennial Committee is making. He reported on expenses to purchase the calendars and plastic sleeves to place the calendars into when distributing them. Ms. Palmer suggested using zip lock bags to keep the calendars dry. After Council discussion, the Mayor announced that he would look into zip lock bags after he finds out the size of the calendars. The Mayor is asking Council for a transfer of \$2000.00 from the General Fund checking account to the Centennial Committee checking account for expenses. Ms. Palmer motioned, seconded by Mrs. Earley to transfer \$2,000.00 from the General Fund checking account to the Centennial Committee checking account to cover expenses. Mr. Hughes, Mr. Williams, Mr. Rinaldi, Mr. Phillips, Mr. Alberigi, Ms. Palmer and Mrs. Earley voted in favor. He announced that the bell restoration has been completed. He discussed a location for the bell and suggested removing the current aging message board in front of the Borough building and placing the bell at that location. A plaque noting that the Masonic Lodge donated the bell could be placed on one of the columns supporting the bell. Mrs. Earley motioned, seconded by Mr. Alberigi to place the bell where the message board had been located. Mr. Alberigi, Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Williams, Mr. Rinaldi and Mr. Phillips voted in favor. Ms. Palmer stated that she does not think the message board should be eliminated. Council discussion ensued which included the discussion of other means of making announcements to residents. Mr. Hughes and members of Council thanked the Mayor for all the work that he has done restoring the bell. Mrs. Earley announced that Keystone Tree Specialist has offered to remove the evergreen tree in the park across the street from the Borough building at no charge to the Borough. The family of Keystone Tree Specialist is donating this work in honor of the former owner, their father and husband, who has passed away. The removal of this tree will help to make room for the clock which will be located in the park.

**VISITORS:** Mike Walker, 497 N. Abington Road; Mrs. Walker; Thompson Kriedler, South Abington Police; Emily Culley, Abington Journal reporter.

**PUBLIC COMMENT:** Mike Walker spoke to Council to address the water drainage issue on North Abington Road near his place of residence which causes icing problems in the winter. In addition, he had previously written a letter to Council about this issue. Mrs. Earley responded to Mr. Walker that she and the DPW foreman met with the PennDot representative. They gave him a copy of the letter Mr. Walker had written to Council. Mrs. Earley responded to Mr. Walker that she is preparing a letter about this issue which will be sent to PennDot, of which a copy will be sent to Mr. Walker. Mr. Walker thanked Council for their help.

**LACKAWANNA COUNTY COMMUNITY RELATIONS:** Mr. Gerard Hetman addressed Council and asked that the Borough report any damages that may have resulted from the heavy rain storm on June 27. Ms. Palmer discussed water issues at her daughter's property on South Abington Road. Mayor Thorburn, the Borough Emergency Management Coordinator, will file any necessary paperwork. In addition, Mr. Hetman reported on upcoming Lackawanna County grants and events.

**SOLICITOR'S REPORT:** There was no report due to Solicitor Weinschenk's absence.

**TREASURER'S REPORT, BILL APPROVAL & FINANCE:** Mr. Hughes presented the Treasurer's report which was filed for audit. Current fund balances are as follows:

Capital Fund Money Market	\$	13,513.10
Centennial Committee Checking		974.00
General Fund Checking		275,697.90
General Fund Money Market		35,236.92
Sewer Fund Checking		202,910.45
Sewer Fund Money Market		84,907.67
State Funds Checking		<u>40,066.63</u>
Total Checking/Savings	\$	653,306.67

Mr. Hughes reviewed various checking account balances and discussed these amounts in comparison to last month's and last year's figures. In addition, Mr. Hughes reviewed items and amounts on the Budget vs. Actual report in comparison to 2012 amounts. With no questions from Council, Mr. Hughes motioned, seconded by Ms. Palmer to accept the Treasurer's Report and ratify the payment of the bills. Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Alberigi, Mr. Rinaldi, Mr. Phillips and Mr. Williams voted in favor. Mr. Hughes reported that the contract with NextEra Energy Services was executed on August 1, 2013 which will affect street lighting only. The analysis from Mr. McGraw indicates a 6 month savings to the Borough in the amount of \$505.00. Mr. Hughes then discussed residents who had sewer balances over \$300.00. The same Certified letter that was sent to residents with delinquent sewer balances last November will be sent to these residents. This letter will advise them that if they do not bring their account current within a six month period, or enter into a payment plan, the Borough will, regrettably, lien their property. Council discussion ensued regarding lien issues. Mr. Hughes motioned, seconded by Mr. Alberigi to send a letter to the residents with a delinquent sewer balance over \$300.00, who are not

already on lien or under a payment plan. Ms. Palmer, Mrs. Earley, Mr. Phillips, Mr. Williams, Mr. Rinaldi, Mr. Hughes and Mr. Alberigi voted in favor. Additionally, Mr. Hughes offered a motion to send a letter to the Borough auditors, Murphy, Dougherty and Company asking them for an engagement letter to perform the audit of 2013 with a request that the fee be \$6,350.00, which is the amount that it was this past year. Mrs. Earley seconded the motion. Mrs. Earley, Mr. Phillips, Mr. Rinaldi, Mr. Hughes, Mr. Williams and Mr. Alberigi voted in favor. Ms. Palmer voted against.

**BUILDING & GROUNDS:** Mr. Phillips reported on low tree branches over the sidewalk at 219 and 261 E. Grove Street. Zoning Officer Harris will contact the property owners. Mr. Phillips reported that a zoning application has been received in regards to a lot on Pineview Circle. Ms. Palmer had expressed a concern at the last Council meeting about a parking issue on Spring Street with regards to lawn care equipment. She had asked that the "No Parking Here to Corner" sign be moved up on Spring Street to allow cars turning onto Spring Street from Grove Street to have room to make the turn. After review of the area by Mr. Phillips and Zoning Officer Harris, it was determined to leave the sign at its present location. Ms. Palmer feels that an accident is imminent and that it is a mistake to allow the sign to remain. In addition, Mr. Phillips reported that Mr. Rinaldi has been working diligently on the Borough website. Mr. Rinaldi reported that the Borough has engaged Zen Design Firm from Old Forge to design the website. They have provided to Mr. Rinaldi preliminary designs which he had forwarded to Mr. Phillips. He and Mr. Phillips will meet to discuss the designs before meeting with Zen Design at the end of the week. This evening before the Council meeting, Mr. Rinaldi arranged for head shots of the public officials to be taken by the Zen Design photographer. The photographer had also been sent to the Clock Committee meeting as well as to the Centennial Committee meeting to take photos. Mr. Rinaldi discussed the ongoing concern about the old Borough website. At the June Council meeting Mr. Rinaldi was authorized to send a letter to Mrs. King concerning the domain name clarksgreen.org. He reported that he spoke with people who were on Council at the time, who are no longer on Council, and apparently when this first surfaced with Mrs. King, Council believed that the domain was going to be the property of the Borough. As it turns out, it is registered to Marie King under a business name that she has. When Mr. Rinaldi spoke with Mrs. King, she asked him to put the request in writing. Mr. Rinaldi read the letter to members of Council which was sent to her on June 20, 2013. Mrs. King told Mr. Rinaldi that upon receipt of the letter she would reply whether she will decline the request for transfer; provide a sales price for transfer; or transfer the ownership at no cost. In speaking with Mrs. King, she told Mr. Rinaldi that her choice was none of the above. Her choice was to transfer the domain name if she and her husband received a written apology from Clarks Green Borough Council signed by each of the Council members. Mr. Rinaldi relayed that request to Council President Williams as well as to Borough Solicitor Weinschenk. After Mr. Rinaldi reviewed the minutes from the Council meeting, it clearly was not any official action taken by Clarks Green Borough that lead to an encounter between Jill Shanrock, who was on Council, and Marie King at the April 2012 Council meeting. As a result, through conversations with the Borough Solicitor, there is no legal reasoning why Council would be responsible for the conversation between a resident and one of the Council members, regardless of whether

or not it was out of hand. Mr. Rinaldi reported that we have other domains registered that we can use. After Council discussion, it was decided to move forward with a new domain name. Mr. Rinaldi will draft an article for the newsletter regarding the new domain name. Notice will also be given in the sewer bill as well as on the signboard.

**PUBLIC WORKS:** Mrs. Earley indicated that in the second quarter progress report to ARWA, the DPW foreman reported that Insight Pipe Contracting completed the cured-in-place pipe lining on South Abington Road which ran about 280 feet. Regarding the Vassar Avenue situation, the DPW foreman reports that the resident has responded to the last letter that he received from Mrs. Earley. The DPW crew will be going to his house on July 18 to run a camera through pipes to see if there is a septic tank which remains hooked up to the resident's house. On Friday, July 12, Mrs. Earley and the DPW foreman met with a representative from PennDot. She gave the representative a copy of a letter which the Borough had received from Mr. Michael Walker. His letter was regarding the water problem on North Abington Road near the Our Lady of Peace School which causes icing in the winter. Mrs. Earley will write a letter from Council officially asking PennDot to look into this matter. Following the meeting, the PennDot representative and the DPW foreman toured the state roads in the Borough in order for the DPW foreman to point out problems that need to be addressed before the paving is completed. The PennDot representative expressed concern that the contractor had not met with PennDot or the Borough DPW foreman to explain what their timetable would be or what work was planned for the underground pipes. PennDot and the DPW foreman will be working together through the remainder of this project. Mrs. Earley reported that work is continuing on the catch basins on Tedrick Street. This work is in preparation for the paving project later this summer. The DPW foreman has been in contact with another contractor who may be paving Venard Road for PennDot. This is a different contractor than who will be paving Abington Road. The DPW foreman would like to speak to National Water Main Cleaning Company who will be doing camera work in our Borough next week. He is hoping, with Council's permission, to add on Venard Road so that any broken pipes can be spotted before paving occurs. Using the same quote information, he is estimating that the extra work may cost \$3,000.00. The budget allocated \$30,000.00 for this kind of work, and the Borough will have spent less than \$17,000.00 with the work already accounted for. Mrs. Earley motioned, seconded by Mr. Hughes to allow the DPW foreman to add on the camera work for Venard Road while they are working in the Borough next week. Mr. Hughes, Mr. Williams, Mr. Rinaldi, Mr. Phillips, Mr. Alberigi, Ms. Palmer and Mrs. Earley voted in favor. In addition, Mrs. Earley reported that the summer DPW worker spent time weeding the park area across from the Borough building. Mrs. Earley stated that in the current Borough budget, there is a line item under Public Works for minor machinery and equipment purchase. The DPW foreman is asking to purchase a Mig welder which can be used to weld the aluminum on the Borough trucks. The cheapest telephone bid for a Mig welder is from Home Depot in the amount of \$524.00; a required helmet from Home Depot which costs between \$70.00 & \$90.00; and welder wire for \$60.00 for a total cost of approximately \$664.00. Mrs. Earley motioned, seconded by Ms. Palmer to purchase these three items from Home Depot at a total cost of approximately \$664.00. Mr. Alberigi, Mr. Rinaldi, Mr. Phillips, Mr. Hughes, Ms. Palmer, Mrs. Earley and Mr. Williams voted in favor. Mrs. Earley

stated that the next DPW request comes under Building and Grounds. The DPW has reported that the printer in their office is broken. The DPW foreman reported that Best Buy has a basic printer on sale for \$59.99. Mr. Phillips motioned, seconded by Mrs. Earley to purchase a printer for the DPW at Best Buy at a cost of \$59.99. Mr. Alberigi, Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Williams, Mr. Rinaldi and Mr. Phillips voted in favor. Mrs. Earley reported that the Commonwealth is sponsoring an equipment show which will be held in Tunkhannock across from Deer Park Lumber Company on July 25, 2013. The DPW is asking to be allowed to attend. Mr. Phillips motioned, seconded by Ms. Palmer to allow the DPW to attend the equipment show on July 25, 2013. Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Phillips, Mr. Williams, Mr. Rinaldi and Mr. Alberigi voted in favor. Ms. Palmer asked Mr. Phillips about the POD that is located at 276 E. Grove Street in Clarks Green. Mr. Phillips will check with the Zoning Officer.

**HEALTH & SAFETY:** Mr. Alberigi discussed school bus driver safety. He received safety information from Chief Robert Gerrity from the South Abington Police Department which he passed on to Ms. Palmer for the newsletter.

**REFUSE & RECYCLING:** Mr. Rinaldi reported that one complaint had been received from Clarks Green resident Michael Coffey on Brighton Drive regarding trash pick-up. Due to the holiday, trash pick-up was delayed one day. Mr. Coffey reported that he had not been notified of the delay, even though the information had been posted on the signboard. Mr. Alberigi questioned how information of this type would be relayed to residents. Council discussion ensued. Mr. Rinaldi mentioned that Facebook and Twitter would be available along with the website. Mr. Alberigi suggested community outreach at the Abington Senior Center as well as other outlets. In addition, Mr. Rinaldi reported that he and Solicitor Weinschenk met with County Waste owner Tony Puorro regarding Insurance documentation, and editing and proofing the letter that residents received from County Waste. Mr. Rinaldi reported that in any week that there is a holiday, trash pick-up will be delayed one day. During this current contract period, the holidays involved will be Labor Day, Thanksgiving, Christmas and New Years Day.

**PERSONNEL:** Ms. Palmer reported on the phone call and visitor activity log. Previously questions had been asked about how long it would continue and why Ms. Barrett did not record calls and visitors. Ms. Palmer reported that after asking Ms. Barrett about this, she reported that after answering the office phone, the calls are usually for Secretary Brown. Mr. Rinaldi asked why Ms. Barrett did not record calls and visitors when Mrs. Brown was on vacation. Ms. Palmer did speak to Ms. Barrett about that and told Ms. Barrett that she was expected to keep the log. Ms. Palmer stated that she would like to continue to keep the log as it did not take much time and it gave an indication of when the most phone calls come into the Borough. Mr. Hughes stated that it does take somebody's time to write down the phone call and what took place. He stated that he is not an advocate of creating work and that is what this is. Mr. Hughes made a motion to discontinue keeping the log and is asking that at the Work Session a report be presented by analyzing approximately six (6) months worth of phone calls as to what the value of that is to the Borough. Mr. Rinaldi seconded the motion. Mr. Alberigi, Ms. Palmer, Mrs. Earley, Mr. Williams, Mr. Phillips, Mr. Rinaldi, and Mr. Hughes voted in favor.

**AAJRB:** Ms. Palmer reported that there was not a meeting due to vacationing members. President Williams reported that Jim Kane stopped by his office the day before the Council meeting for signatures from Mr. Williams regarding grant paperwork for DCED in Harrisburg.

**OLD BUSINESS:** Ms. Palmer reported on the newsletter and announced that her computer, with Microsoft Publisher, had crashed. She thanked Mr. Rinaldi for submitting information to her for the newsletter, however, that has now been lost. She has replaced her computer and is now working with a newer version of Microsoft Publisher. She will have a draft of the newsletter to show to Council members at the upcoming Work Session. Mr. Williams suggested including a photo of the clock in the newsletter. Mr. Rinaldi announced that the website should be up and running by mid August. Council discussion ensued about notifying the community of the new Clarks Green Borough website name. Mr. Rinaldi suggested inviting neighboring municipalities to a Work Session where Zen Design Firm would be in attendance to discuss how they can link up to our website. Ms. Palmer suggested that Zen Design Firm could attend the ACOG meeting the first Thursday in September at 7 p.m. at the Clarks Green Borough building to give a presentation. Mayor Thorburn mentioned that he would like to dedicate the bell in October, as well as advertise the pavers, and begin to sell the remaining calendars. This will give the clock committee time to begin their fundraising efforts. Mr. Hughes discussed the response letter to the Borough auditors Murphy, Dougherty and Company which indicated that the Finance Committee would review the Borough reconciliations. Mr. Rinaldi has reviewed January through May reconciliations without incident. He and Mrs. Earley will review the June 2013 reconciliations together and then alternate the monthly reviews between the two of them.

**OTHER BUSINESS:** Mr. Rinaldi read a July 15, 2013 Scranton Times newspaper article regarding an apartment building that State Representative Marty Flynn co-owns in Scranton. The last paragraph of the article reads: "I'm trying to improve the city," Mr. Flynn said. "I'm not running off to Clarks Green." After Council discussion, it was agreed that President Williams will write a letter asking for an explanation of the statement or an apology if there is no reasoning.

**MOTION FOR ADJOURNMENT:** Mrs. Earley motioned, seconded by Ms. Palmer to adjourn the meeting at 8:40 p.m. All in attendance voted in favor.

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Janice F. Brown, Borough Secretary