

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
AUGUST 21, 2013**

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: Mrs. Earley, Mr. Hughes, Ms. Palmer, Mr. Phillips, Mr. Rinaldi, Mr. Williams, Mayor Thorburn, Solicitor Weinschenk.

ABSENT/EXCUSED: Mr. Alberigi

APPROVAL OF MINUTES: Mr. Hughes motioned, seconded by Mr. Rinaldi to approve the minutes of the July 17, 2013 Council meeting. All in attendance voted in favor.

MAYOR'S REPORT: Mayor Thorburn introduced South Abington Police Department officer Scott Siegler. Mayor Thorburn commented that speeding violations have increased on Fairview Road after it was paved. He also mentioned the amount of vehicles speeding on Venard Road and asked for increased surveillance on that road. Ms. Palmer reported that there are lots of vehicles speeding at the bend on Grove Street as well. President Williams commended the South Abington Police Department, specifically Officer Kriedler, for their quick response to his home on Wednesday, July 24, 2013 for an electrical emergency. Officer Kriedler took complete control of the situation by turning off the power, calling Clarks Summit Fire and Ambulance, and also directing traffic on Venard Road. Mayor Thorburn also reported that he had received a letter from UGI regarding methane gas from landfills in the area. He will contact UGI for more information. He also reported that the Centennial Committee held their monthly meeting on Tuesday, August 13, 2013. Most of the photographs for the calendar have been selected. He has been in contact with Mr. Koehler on S. Abington Road who has old photos. Ms. Palmer mentioned that she had spoken with Carol Van Backer's son, who was not able to procure any historic photos from his mother. He also reported that the plastic sleeves and ties for the calendars and inserts have been received and will be ready for the leaf bag distribution. A volunteer, Olivia Osborne will work on this as a community service project for school. In addition, Mrs. Earley reported that Mason Moher, with his computer technology, was able to get photos of the Clark house from the Library of Congress. Photos of Merritt Coon, featuring his print shop, were also found at the Lackawanna County Historical Society. Mrs. Earley reported that Mr. Coon donated the triangular parcel of land across from the Borough building. Mayor Thorburn asked Mr. Phillips if the DPW could straighten out the flag pole in front of the Borough building. In addition, Mr. Hughes thanked the Abington Journal reporter for the nice front page article featuring Mayor Thorburn and the bell. Mrs. Earley reported that Keystone Tree Specialist returned to the park across the street after initially removing a tree and trimmed more branches and topped more of the existing trees. An extended thank you for their work will be scheduled on the signboard.

VISITORS: Officer Scott Siegler, South Abington Police Department; Emily Culley, Abington Journal.

SOLICITOR'S REPORT: Solicitor Weinschenk reported that he, Keith Williams and Jim Kane met with the accounting firm that is auditing the RACP Grant. He mentioned that any documents not available at the meeting were provided to the Office of the Budget and to HRG, the accounting firm in charge of monitoring the RACP Grant, by Jim Kane within a couple of days of the meeting. The Office of the Budget is now requiring additional information regarding expenditures of the Grant monies. Solicitor Weinschenk suggests drafting and developing a Municipal Cooperation Agreement which would include the five (5) municipalities and the Rec Board where they authorize the project, the expenditure of the grant monies, and approve the grant monies. The Cooperation Agreement would be drafted, provided to the Office of the Budget for review, and if satisfactory to them, then begin the process of having the Municipalities sign it. Greg Pascale, Solicitor for the Rec Board, asked Solicitor Weinschenk to draft the Agreement. Atty. Weinschenk agreed to draft the Agreement as long as there were no objections as to what it cost to draft the agreement. He would then submit the final Agreement to the office of the Budget for acceptance. Atty. Pascale and Mr. Risse will attend all of the meetings and try to obtain all of the signatures. The downside to Clarks Green Borough as the Grantee is that there will be no reimbursement and no payments from the RACP Grant until this condition is satisfied. It is going to take at least a month, if not more, to get the five (5) Municipalities to approve and sign the Agreement. Atty. Pascale feels that this process will go smoothly. Atty. Weinschenk thanked Councilman Hughes for his diligence on the Line of Credit process due to the fact that we have not received any reimbursement from the State and his bull dogging the bank and the Rec Board has paid off to the benefit of the Borough. Mr. Hughes mentioned that language exists which absolves Clarks Green Borough of any liability for repayment of that Line of Credit. Mrs. Hughes thanked Atty. Weinschenk and Mr. Hughes for their work on this project. Mrs. Earley mentioned the Stormwater Ordinances which the DPW Foreman had spoken to her about. Atty. Weinschenk reported that two ordinances are required; the Stormwater Management and the Stormwater Operation Agreement. He has been in contact with the Borough Engineer regarding these Ordinances. Even though Clarks Green Borough has no undeveloped properties, it is a technical requirement that the Borough needs to comply with. The Ordinances will be ready for review in October and passage in November. Mr. Hughes asked Solicitor Weinschenk about the progress with the FieldTurf warranty. Atty. Weinschenk replied that the modifications were submitted by Jim Kane to FieldTurf and we have had no response. Mr. Hughes mentioned that he noticed in the paper that the Rec Board is pursuing a grant application through Glenburn Township and inquired as to whether Clarks Green Borough has any contingent liability for a grant of this sort. Atty. Weinschenk replied that he had received an e-mail from the Office of the Budget stating that participating municipalities must agree that they are responsible under the Grant agreement. It is not known under which grant Glenburn Township is applying for. Mr. Hughes asked whether a letter should be sent to Glenburn Township relative to our concerns and any contingent liability that Clarks Green might have under the Grant provisions. Atty. Weinschenk agreed that a letter should be sent to Glenburn Township. President Williams asked the solicitor to send a letter to Glenburn Township. In conclusion, Solicitor Weinschenk mentioned that at the monitoring meeting, Mr. Kane inquired about phasing this project due to the fact that the project is one big project which includes the soccer field, the parking lot addition and improvements, fishing piers, etc. The

thought was to phase this and make the soccer field and the FieldTurf contract Phase I so that once that is completed and the special conditions are satisfied with this Cooperation Agreement, we can begin getting some reimbursement. Mr. Hughes also reported that at the Work Session he had distributed a cover sheet that he had received from Bill Risse. AAJRB had an accounting firm that prepared financial statements and in the cover letter, the accounting firm declaimed the fact that this was an audit. President Williams has sent a letter to this accounting firm stating that the Borough has received the financial statements and he cited the language from the cover letter that it was in fact not an audit. Mr. Williams asked to have the completed audit forwarded to the Borough.

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	\$	13,513.33
Centennial Committee Checking		2,974.00
General Fund Checking		257,969.38
General Fund Money Market		35,237.52
Sewer Fund Checking		210,844.75
Sewer Fund Money Market		84,909.11
State Funds Checking		<u>40,070.25</u>
Total Checking/Savings	\$	645,518.34

Mr. Hughes discussed various checking account balances and noted these amounts in comparison to last month's and last year's figures. With no questions or comments from Council, Mr. Hughes motioned, seconded by Ms. Palmer to accept the Treasurer's Report and ratify the payment of the bills for the month of July. Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Rinaldi, Mr. Phillips and Mr. Williams voted in favor. Mr. Hughes then reviewed items and amounts on the Budget vs. Actual report in comparison to 2012 amounts. Mr. Hughes discussed the \$500.00 contribution to the Abington Senior Center. He then motioned, seconded by Mr. Phillips to pay the Abington Senior Center \$500.00 for the yearly contribution, as budgeted. Ms. Palmer, Mrs. Earley, Mr. Phillips, Mr. Rinaldi, Mr. Williams, and Mr. Hughes voted in favor.

BUILDING & GROUNDS: Mr. Phillips reported the DPW completed the painting of the Borough fence along Clark Street. Mr. Phillips spoke to the DPW foreman about sealing the cut marks on the trees at the park across from the Borough building. Mr. Phillips also reported that the Zoning Officer is scheduling a Planning Commission meeting regarding the Myers, Brier and Kelly property on N. Abington Road. In addition, Mr. Phillips reported that the website is progressing well for both the Centennial and the Borough website. In regards to Building & Grounds, Mr. Rinaldi reported the left light on the rear of the Borough building when facing the garage is out. Mr. Rinaldi discussed the progress of the website and the two e-mails which he has sent to Council and staff regarding the website. The first was a presentation video prepared by Zen Design which gives an overview of the different aspects of the website. He reported that he and Mr. Phillips reviewed a mock up of the Centennial page which will be available by the end of next week. The other link that was sent is to the website itself and its development. Ms. Palmer asked about e-mail addresses. Mr. Rinaldi replied that the e-mail addresses will end in clarksgreen.info. Members of Council thanked Mr. Rinaldi for his work getting the new website

set up. Mr. Rinaldi also has set up the links to Twitter and Facebook. He asked Council for feedback on the website which he will take back to Zen Design. Mayor Thorburn asked Mr. Rinaldi to keep him advised regarding the link to the Centennial website so the information for ordering the pavers could be posted.

PUBLIC WORKS: Mrs. Earley reported that the Borough's major paving projects for this summer were completed by August 12. During the week of August 26, the DPW will be working with the skidsteer and a rented milling attachment to repair potholes on roads that were not included in this year's paving project. In addition, Mrs. Earley spoke with the office personnel regarding the 90 day probationary period which the new DPW employee has completed. She also sent a second letter to Mr. George Roberts at PennDot about the issues that the DPW foreman addressed with Mr. Roberts before PennDot finishes the paving of North and South Abington Road. In closing, Mrs. Earley reported that the DPW collected scrap metal from old pipes that were replaced as part of the road reconstruction project. The DPW collected \$207.10 after taking it to a scrap metal recycling center.

HEALTH & SAFETY: There was no report due to Mr. Alberigi's resignation.

FINANCE COMMITTEE: Mr. Hughes reported that there were twenty-one (21) residents who had balances over \$300.00. He asked Solicitor Weinschenk whether Clarks Green can divulge names of the sewer delinquents to newspapers. Solicitor Weinschenk responded that under the Right-To-Know Act, names can be given out if the Borough has a list of names. Mr. Hughes gave an update on those residents who paid their sewer bill in full, made payments, signed the payment plan, did not respond to their certified letters, etc. Council discussion ensued regarding sewer payments, liens, etc. Mr. Hughes asked the Solicitor about residents who had signed a payment plan, and who are not in compliance with the payment plan. He inquired as to whether the Borough can send them a demand letter to come current with their payment plan. The Solicitor replied that a letter can be sent to the resident without going through the certified process again. In addition, Mr. Hughes mentioned that a resident was sent a certified letter a year ago, and wrote on his certified letter that he would make payments as he was able to and attached a check for \$100.00. This resident will now be sent a follow-up letter. In closing, Mr. Hughes reported that an engagement letter has been received from Murphy, Dougherty and Co. to perform the 2013 audit at the same price as the 2012 audit. Mr. Hughes has signed and returned the engagement letter to them.

REFUSE & RECYCLING: Mr. Rinaldi reported that President Williams had received, with a copy to himself, a letter from William Sherlock, 329 Clark Street, with suggestions on updating the Borough Refuse & Recycling Ordinance. A copy of this letter was distributed to members of Council and will be discussed at the next Work Session. After that time, Mr. Rinaldi will draft a letter to Mr. Sherlock addressing his concerns and Council's opinion on them. In addition, Mr. Rinaldi reported that most of the new refuse & recycling bins have been delivered by County Waste. Residents who are waiting to receive containers have requested a different size. Residents who still have their large containers curb side are waiting for a smaller size as well. Mr. Williams reported that he and Mr. Sherlock discussed refuse & recycling items during a recent conversation.

PERSONNEL: Ms. Palmer reported that she had nothing new under Personnel. Mr. Rinaldi reported on the Treasurer's position, which had been discussed at the Work Session. He motioned, seconded by Mrs. Earley to appoint Jan Brown as the Borough Treasurer. Mrs. Earley, Mr. Phillips, Mr. Williams, Mr. Rinaldi, and Mr. Hughes voted in favor. Ms. Palmer voted against. In addition, Mr. Rinaldi complimented Ms. Palmer who allowed Sharon Barrett to change her hours last week.

AAJRB: Ms. Palmer reported that no meetings have been held in the past two (2) months due to summer and the difficulty in getting members together.

ACOG: Ms. Palmer reported that the next ACOG meeting will be held on Thursday, September 5, 2013 at 7 p.m. at the Borough building. Maryann Nichols and Dori Waters will be attending to discuss the Abington Classrooms. Ms. Palmer also mentioned that she will be attending the Pennsylvania COG meeting in Lancaster.

OLD BUSINESS: Mr. Rinaldi reported on the newsletter. He had set up a meeting for himself and Ms. Palmer with PDQ Print Center to prepare the newsletter due to the timing being critical to announce the new website. Ms. Palmer was unable to attend the meeting on Monday. Mr. Rinaldi met with Marion, the representative from PDQ. He gave her the information for the newsletter and they printed up a draft of a newsletter which was essentially 4 pages and tri-fold. When the original price quote was received last October, it was in the amount of \$327.00 plus postage. This price included certain weight of paper, white paper with black ink, and it included the data base set-up, using our file for the newsletter to do the printing, addressing it and delivering it to the post office. This particular quote was without postage. When Mr. Rinaldi met with Marion, he told her that rather than black on white, we would like to see a design with color in it to match the website. He received a mock-up from Marion on the four (4) pages. The price for the four pages was rather expensive and the 3rd and 4th page contained information which would be on the Borough website anyway. He met with Marion today to see if they could get our newsletter down to a one page tri-fold which would contain the articles on the Centennial kick off and the new website. She put together a tri-fold mock up which Mr. Rinaldi held up to show Council. To do this, an excel file was needed to perform a mail merge which puts together resident addresses. Secretary Brown contacted the sewer software company, Diversified Technology who provided the Borough with this excel file. PDQ indicated that they could not use this excel file and that it needed to be modified which would list the address information in five (5) different columns. On Monday, Mr. Rinaldi modified the excel file and presented it to PDQ in a form that they could use. In addition, Mr. Rinaldi obtained a list of more than 85 Borough tenant names from Secretary Brown, which he incorporated into the modified excel file along with address information for 2 residents who are on septic and do not receive a sewer bill. The postage for 675 tri-fold items being mailed at \$.26 each will be \$175.50. Marion quoted a price of \$649.00 to print 725 newsletters. Mr. Rinaldi reported that the price will be a little less because he ordered 700 newsletters, not 725. The mailing will go out the middle of next week and will arrive on either Friday or Saturday. The delivery of the newsletter will coincide with the website going live. Ms. Palmer stated that the newsletter was her idea, that she spent a considerable amount of time on the newsletter, and that she has almost a finished product doing the four (4) page newsletter. She indicated that she does not have the background using Publisher, which she uses occasionally. She stated that Mr. Rinaldi basically has taken over the

newsletter. Discussion between Ms. Palmer and Mr. Rinaldi ensued. President Williams stated that as we move forward with the newsletter, there will be room for articles from all of Council. He also stated that the timing of this will get the news to the residents in terms of the Centennial.

NEW BUSINESS: Mr. Phillips noted that we need to discuss the resignation of Victor Alberigi. President Williams reported that he had a phone call from Mr. Alberigi late this afternoon to let Mr. Williams know that he had e-mailed his resignation to him. A copy of the resignation was given to members of Council. Mr. Williams will send a letter to Mr. Alberigi thanking him for his service to the Borough. Mr. Williams reported that Council has thirty (30) days to appointment a resident to take over that position. Mr. Rinaldi asked if something could be done tonight. Mr. Rinaldi motioned, seconded by Mr. Phillips to accept the resignation of Mr. Alberigi. All in attendance voted in favor. Mr. Rinaldi motioned, seconded by Mr. Hughes to appoint Joe Barrasse to fill the unexpired term of Victor Alberigi. He has talked to Joe who has indicated to Mr. Rinaldi that he would accept the appointment for the balance of Victor's term. Mrs. Earley, Mr. Phillips, Mr. Rinaldi, Mr. Hughes, Mr. Williams, and Ms. Palmer voted in favor. Mrs. Earley discussed the CD's which are the property of the Borough and which Marie King has. Mrs. Earley held up a document called "CLARKS GREEN" that was prepared several years ago and which was partially put on the website. It has photos which were transferred to a disc that the Borough does not have access to. For the Borough to do this over again will involve a lot of time. The Borough now may not have access to some of these photos. At the Work Session, discussion involved giving Mrs. King more time to return the CD's to the Borough. Mrs. Earley asked the Solicitor to write a letter to Mrs. King asking for the return of the CD's. Mr. Rinaldi reported that he had spoken with the Borough Solicitor last week asking him to send a letter to Mrs. King to return the property or indicate to him that she no longer has it. The Solicitor has sent a letter to Mrs. King. In addition, Mr. Hughes discussed the monthly Borough bills for the vision and dental contracts. He is asking the Personnel Chair, Ms. Palmer and Public Works Chair, Mrs. Earley to investigate the thoughts of the DPW staff regarding discontinuing the dental and vision coverage and taking that money to hold down the cost increases to the employees for Blue Cross/Blue Shield. Mrs. Palmer inquired about the DPW employees not wanting to make the change and whether they would be able to make the choice themselves. Mr. Hughes responded that it would be discussed at the next Work Session in September.

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.

Janice F. Brown, Secretary/Treasurer