

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
SEPTEMBER 17, 2014**

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

ROLL CALL: Secretary/Treasurer Brown conducted roll call. The following were present: Mr. Barrasse, Mrs. Earley, (who arrived at 7:05 p.m.), Mr. Hughes, Ms. Palmer, Mr. Phillips, Mr. Rinaldi, Mr. Williams, Mayor Thorburn, Solicitor Weinschenk.

APPROVAL OF MINUTES: Mr. Hughes motioned, seconded by Mr. Barrasse to approve the minutes of the August 20, 2014 Council meeting. Mr. Barrasse, Mr. Hughes, Ms. Palmer, Mr. Phillips, Mr. Rinaldi and Mr. Williams voted in favor.

VISITORS: John Arcangelo, 719 Highland Avenue; Debbie Plantholt, 114 Clark Street; Bill Plantholt, 114 Clark Street; Meredith Colohan, Abington Journal reporter; Gerard Hetman, Lackawanna County Outreach.

MAYOR'S REPORT: In the absence of a police officer, Mayor Thorburn presented the Police report. The Mayor announced he has completed and returned a NIMS report to the county. In addition, he will have the DPW Foreman take the NIMS course.

PUBLIC COMMENT: Debbie Plantholt addressed Council regarding her fence. She reported she received a check in the amount of \$500.00 from the Borough insurance company. Council discussion ensued. Mr. Hughes asked Mrs. Plantholt for the amount of the estimate to repair the fence and then discussed payment of the balance if the \$500.00 from DGK Insurance can be applied toward the cost of replacing the fence. Solicitor Weinschenk will verify that the Borough can use the \$500.00 toward the cost of replacing the fence with Council paying the balance. Ms. Palmer asked Council if this can be done quickly to avoid the Plantholt's returning to another meeting. President Rinaldi responded the Solicitor should be allowed time to research this before any decisions are made. Solicitor Weinschenk added that even though there may or may not be immunity over and above the deductible, he will check if that precludes Council from reimbursing despite the lack of insurance coverage. Mr. Phillips asked if a motion can be made this evening to take care of this issue rather than waiting another month. President Rinaldi replied that voting on something without knowing if it is allowable is poor practice for Council. Mr. Hughes stated if a phone call to DGK Insurance resolves the matter, Council can then vote at the next Council meeting. Mr. Barrasse apologized on behalf of Council for this unresolved issue. Mayor Thorburn stated the curbing in front of the Plantholt's house has been removed. Mr. Rinaldi stated that Council will discuss with our insurance carrier the manner in which they have treated the Plantholts regarding unreturned phone calls, etc.

LACKAWANNA COUNTY COMMUNITY RELATIONS: Gerard Hetman discussed various activities taking place throughout Lackawanna County. These include the annual Public Safety event "Heroes Day" which will take place Saturday, September 20, 2014 from 9 a.m. – 2 p.m. at the 911 Center on Valley View Drive in Jessup. On September 26, 2014 the annual Senior Health Fair will take place at the PNC Field in Moosic from 10 a.m. – 1 p.m. In addition, he announced the County budget process has begun for 2015.

SOLICITOR'S REPORT: Solicitor Weinschenk stated he had nothing specific to report this evening.

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

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|-------------------------------|-----------|-------------------|
| Capital Fund Money Market | \$ | 19,357.30 |
| General Fund Checking | | 253,376.17 |
| General Fund Money Market | | 35,244.58 |
| Sewer Fund Checking | | 141,667.79 |
| Sewer Fund Money Market | | 84,926.09 |
| State Funds Checking | | <u>38,251.57</u> |
| Total Checking/Savings | \$ | 572,823.50 |

Mr. Hughes compared account balances to balances of last month and last year. In addition, Mr. Hughes noted the funds from the Centennial checking account in the amount of \$659.80 were transferred to the General Fund checking account during the month of August. After Ms. Palmer asked about the Centennial checking account funds, she motioned, seconded by Mr. Phillips to accept the Treasurer's Report and ratify the payment of the bills. Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Barrasse, Mr. Rinaldi, Mr. Phillips and Mr. Williams voted in favor. The Budget vs. Actual report was then reviewed by Mr. Hughes with current amounts compared to amounts of last month and last year. Mr. Hughes distributed to Council a report on the status of documents he had requested from AAJRB. He asked AAJRB representative Ms. Palmer to ask AAJRB about the status of the 2012 and 2013 audits. If they are completed, Mr. Hughes is asking that a copy be e-mailed to Borough Council members. He then reported on a request for a contribution from the United Way. He is recommending Council not take action on the request. Mr. Hughes then motioned, seconded by Ms. Palmer to contribute \$1,000.00 to the Abington Community Library. This is the second installment of the \$2,000.00 which was budgeted for the library. Mr. Barrasse, Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Williams, Mr. Rinaldi and Mr. Phillips voted in favor. Mr. Hughes reported since the July Council meeting, an additional \$600.00 was received in sewer delinquency payments and 4 properties were placed on lien. Mr. Hughes asked Solicitor Weinschenk to review the reverse side of the sewer bill regarding sewer interest and penalty charges.

PERSONNEL: Mr. Williams reported on the Nepotism Policy which had been reviewed by the Borough Solicitor and distributed to members of Council. Mr. Williams stated the Policy would not apply to an employee hired prior to the appointment or election of the relative. Ms. Palmer motioned, seconded by Mr. Williams to adopt the Nepotism Policy presented by Mr. Williams. Mrs. Earley, Mr. Phillips, Mr. Rinaldi, Mr. Hughes, Mr. Williams, Mr. Barrasse, and Ms. Palmer voted in favor. Ms. Palmer stated the Nepotism Policy should be extended to other Commissions and Boards. Mr. Rinaldi replied that we do not want to exclude family members whose expertise might be useful to the Borough by serving in these unpaid positions on Commissions and Boards.

BUILDINGS AND GROUNDS: Mr. Phillips reported the service contract for the copier has been processed. Mr. Williams discussed replacement of the weathered Clarks Green United Methodist Church sign which was located in the park across from the Borough building and was removed by the church. Solicitor Weinschenk stated the Borough should prohibit all signs, including directional signs, from Borough property. Mr. Williams asked if the old metal sign which was displayed for many years grandfathered the church in. Solicitor Weinschenk replied it did not. Council discussion ensued regarding the temporary Second Friday sign for Clarks Summit as well as yard sale signs which are posted on utility poles.

HEALTH & SAFETY: Mr. Barrasse discussed the traffic light controller which needs to be replaced. Quotes were received from Northeast Signal in the amount of \$14,086.90 and from Kuharchik Construction, Inc. in the amount of \$14,639.00. The DPW Foreman has been unable to get a 3rd proposal. Solicitor Weinschenk reported that the attempt was made to get three (3) proposals and since this is a specialty item, Council can make their decision based on the two (2) proposals received. Mr. Barrasse motioned, seconded by Mr. Hughes to purchase the traffic light controller from Northeast Signal at a cost of \$14,086.90. Mr. Williams, Mr. Rinaldi, Mr. Barrasse, Ms. Palmer, Mrs. Earley, Mr. Phillips and Mr. Hughes voted in favor. Mr. Barrasse reported the DPW Foreman placed another call to Dave Maciak, PennDot Maintenance Supervisor regarding the crosswalk painting and he has not heard back from Mr. Maciak.

PUBLIC WORKS: Mrs. Earley reported the milling and paving of Birchwood Road and Princeton Avenue started today and should be completed by Friday afternoon. In preparation for this work, the sewer lines were camera-ed and repaired where necessary. The DPW also repaired and installed storm water catch basins. Mrs. Earley then reported the Vassar Avenue septic tank issue has been resolved. The resident located the tank on his property and has had it pumped out and filled in. The DPW Foreman monitored the work and was satisfied with the result. Last week Mrs. Earley met with the Borough Engineer, Jack Scheuer and the DPW Foreman to discuss activities necessary to comply with MS-4. The main responsibility to complete this year is the mapping of our storm water catch basin inlets. Clarks Green Borough has approximately 370 inlets which need to be visited and placed on a GPS map required by EPA. Mr. Scheuer estimates it will take five (5) days with two of their employees and their \$30,000 GPS tool to complete the mapping. He estimates the cost to be between \$6,000.00 and \$7,000.00. Mrs. Earley reported the Borough currently has a balance of \$20,000.00 in the sewer repair fund. Mrs. Earley motioned, seconded by Mr. Barrasse to hire BCM Engineering firm to proceed with the GPS mapping of 370 Borough storm water catch

basin inlets. Mr. Phillips, Mr. Barrasse, Ms. Palmer, Mrs. Earley, Mr. Williams, Mr. Hughes, and Mr. Rinaldi voted in favor. Mrs. Earley discussed advertising for an informational MS-4 meeting which would take place at 6:30 p.m. prior to the October 15, 2014 Council meeting. She will have materials to distribute to residents attending this meeting. She reported some of the public information requirements for the MS-4 program have been satisfied with the placement of a newspaper article which appeared in the Abington Journal. This information was covered in the most recent sewer bill as well. The "When It Rains It Drains" brochures have been ordered and will be distributed to Borough residents with the leaf bags. Mrs. Earley motioned, seconded by Mr. Hughes to advertise for an informational MS-4 meeting to take place at 6:30 p.m. on Wednesday, October 15, 2014 prior to the Council meeting. Mr. Rinaldi, Mr. Hughes, Mr. Williams, Mrs. Earley, Ms. Palmer, Mr. Barrasse and Mr. Phillips voted in favor. Mr. Rinaldi reported on a call he received from Mr. Peter Gold with the EPA office in Philadelphia. He asked Mr. Rinaldi about the progress Clarks Green is making with the MS-4 requirements. Mr. Rinaldi will gather progress information with which he can reply to Mr. Gold. This reply will include information the Borough Engineer sent to DEP on July 1, 2014. Mrs. Earley discussed hiring a 3rd full time DPW employee. The position will be advertised in the Scranton Times as well as the Abington Journal. Mrs. Earley motioned, seconded by Mr. Hughes to advertise to hire a 3rd full time DPW employee. Ms. Palmer, Mrs. Earley, Mr. Phillips, Mr. Williams, Mr. Rinaldi, Mr. Hughes and Mr. Barrasse voted in favor.

REFUSE & RECYCLING: Ms. Palmer announced the leaf bags will be delivered by Baptist Bible students on Saturday, October 18, 2014. Putting the inserts into the leaf bag packets was discussed. Ms. Palmer asked Mr. Barrasse to assemble information regarding school bus safety which can be distributed with the leaf bags. Mr. Rinaldi reported the leaf bag distribution information will be on the Borough Facebook and Twitter accounts.

AAJRB: Ms. Palmer reported the Rec Board meeting will be held next week. Mr. Rinaldi discussed Mr. Hughes' request for Ms. Palmer to obtain 2012 & 2013 Budget documents from AAJRB.

ACOG: Ms. Palmer stated the last monthly ACOG meeting was not well attended. The upcoming conference was discussed.

OLD BUSINESS: Mr. Hughes discussed paying the budgeted \$500.00 donation to the Abington Senior Center. Mr. Hughes motioned, seconded by Mr. Phillips to pay the Abington Senior Center the budgeted donation of \$500.00. Mr. Williams, Mr. Rinaldi, Mr. Phillips, Mr. Barrasse, Ms. Palmer, Mrs. Earley and Mr. Hughes voted in favor. Mr. Rinaldi discussed the Comcast Franchise Renewal Agreement. The Cohen Law Firm is requesting an Ordinance or a Resolution from Municipalities. Solicitor Weinschenk recommended to pursue an Ordinance, which will notify the public, rather than a resolution. Ms. Palmer motioned, seconded by Mr. Barrasse, that contingent upon the receipt of the Ordinance from the Cohen Law Firm and review by the Borough Solicitor, to advertise for the Comcast Franchise Renewal Agreement Ordinance. Mrs. Earley, Mr. Phillips, Mr. Rinaldi, Mr. Hughes, Mr. Williams, Mr. Barrasse and Ms. Palmer voted in favor. In addition, Mr. Rinaldi discussed a request which was received from the Executive Director of Abington Community Library. The library is applying for Local Share Grant funding and the library director is

asking the Borough for a letter of support to submit with their Local Share Account application. Mr. Hughes motioned, seconded by Mr. Phillips to write a letter of support for the Abington Community Library Local Share Grant application. Mr. Hughes, Mr. Williams, Mr. Rinaldi, Mr. Barrasse, Ms. Palmer and Mrs. Earley voted in favor. Mr. Hughes discussed an issue the Shade Tree Commission is currently having with a Borough resident. Three trees were requested from the resident, one tree was free and the other two were sold to the resident at a discount. The trees were not planted and have died. Rick Williams, Chairman of the Shade Tree Commission, is inquiring about the Borough being reimbursed for the trees. Solicitor Weinschenk reported the Shade Tree Commission is a separate and autonomous Commission. Mr. Keith Williams will contact Mr. Rick Williams regarding Council discussion.

NEW BUSINESS: Mr. Rinaldi discussed the ethics policy regarding a Moosic Borough incident in which a Council member resigned from Council and was immediately hired by their Borough. He is asking Council to think about having an ethics policy to avoid situations like this. Mr. Hughes announced he would not be in attendance at the Work Session on October 1, 2014. He then reported he received an audit proposal from Murphy and Dougherty today which will be distributed to members of Council and which will be discussed at the October 15, 2014 Council meeting. Mrs. Earley discussed the vacant gas station and the Brownfield funding available from the state. Solicitor Weinschenk asked if the Zoning Officer could date the narratives on her monthly Zoning Officer report.

MOTION FOR ADJOURNMENT: Ms. Palmer motioned, seconded by Mr. Hughes to adjourn the meeting at 8:50 p.m. All in attendance voted in favor.

Janice F. Brown, Secretary/Treasurer