

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
MAY 20, 2015**

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. After the Pledge of Allegiance, President Rinaldi asked for a moment of silence for Councilman Barry Phillips who passed away on May 15, 2015.

ROLL CALL: Mrs. Earley conducted roll call due to the absence of Secretary/Treasurer Brown. The following were present: Mr. Barrasse, Mrs. Earley, Mr. Hughes, Ms. Palmer, Mr. Williams, Mr. Rinaldi, Solicitor Weinschenk and Mayor Thorburn (who arrived at 7:15 p.m. after previously notifying President Rinaldi.)

APPROVAL OF MINUTES: Mr. Hughes motioned, seconded by Mr. Barrasse to approve the minutes of the April 15, 2015 Council meeting. Mr. Barrasse, Mrs. Earley, Mr. Hughes, Ms. Palmer, Mr. Williams and Mr. Rinaldi voted in favor.

Mr. Rinaldi announced that a public comment period for anyone wishing to speak about Councilman Barry Phillips would be held at the end of the meeting.

VISITORS: William Toms, 227 Vassar Avenue; Pam Osborne, 120 Glenburn Road; Rick Williams, 221 N. Abington Road; Mary Ann Nichols, 604 Highland Avenue; Marie King, 726 Highland Avenue, (who arrived mid-meeting); Gerard Hetman, Lackawanna County Department of Community Relations; Chief Robert Gerrity, South Abington Township Police Department; Meredith Colohan, Abington Journal.

Mr. Williams spoke about his Chairmanship of the Vacancy Committee. He also gave a brief report of the Shade Tree Commission which included his opinion about the negative impact attributable to the removal of the old message board.

Mrs. Nichols reported on the Gathering Place which is located in the old Clarks Summit Fire House. She stressed the Gathering Place is a “community living room”. The Main Street location in Clarks Summit was chosen due to the ease of accessibility to all municipalities.

LACKAWANNA COUNTY COMMUNITY RELATIONS: Mr. Hetman thanked Council for the installation of Lackawanna County Wireless network at the Borough building. He reported on upcoming activities throughout the County and distributed handouts regarding those activities.

MAYOR’S REPORT: Mayor Thorburn asked Chief Gerrity to address Council to discuss the police activity during the month of April 2015. Chief Gerrity reviewed a number of activities the police department was involved with in Clarks Green which included the results of the traffic sensor which was placed on Vassar Avenue. Mr. Barrasse asked for a copy of the speed sensor report.

SOLICITORS REPORT: Solicitor Weinschenk reported on a letter which had been received from the Department of Environmental Protection regarding the vacant gas station across from the Borough building. The April letter stated the site has been remediated to “as good as it is going to get”. The Solicitor reported there is still contamination on site. Improvements to the site can be made provided that certain requirements are met which are set forth in Environmental Covenants between the owners and DEP. A copy of these Covenants has been requested by Solicitor Weinschenk. He also reported that bids for the RACP Precast Restroom facility have been received and opened. He approved the bids from the legal aspect and Engineer Robert Naegele currently has the bids for review. Solicitor Weinschenk reported AAJRB has sixty (60) days from May 13, when the bids were opened, to act on the bids. President Rinaldi asked Ms. Palmer to remind AAJRB of the bid opening time limit at their next meeting. The bid award will take place at the June Clarks Green Borough Council meeting.

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

Capital Fund Money Market	\$	29,360.90
General Fund Checking		284,734.27
General Fund Money Market		35,249.86
Sewer Fund Checking		274,731.01
Sewer Fund Money Market		84,938.79
State Funds Checking		<u>43,049.83</u>
Total Checking/Savings	\$	752,064.66

Checking account balances from a month ago and a year ago were discussed by Mr. Hughes. 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. Barrasse, Mr. Williams and Mr. Rinaldi voted in favor. Mr. Hughes then reported on balances from the Budget vs. Actual report as compared to a month ago and a year ago. He then discussed the residents with sewer delinquencies and their balances due. Mr. Hughes discussed a Clarks Green resident who is currently on lien and who also owes Wage Tax money to the Borough. In addition, this resident did not file Wage Tax returns to Berkheimer after they became the collector. Solicitor Weinschenk suggested a letter be sent again to the resident asking him to pay his back taxes. Berkheimer is responsible for collecting any returns and unpaid taxes from 2012 going forward. He also discussed elimination of the Earned Income Tax Collector Bond and transferring the Wage Tax account current balance to the General Fund checking account. Ms. Palmer motioned, seconded by Mr. Barrasse to transfer the Wage Tax checking account funds to the General Fund checking account and to close out the Wage Tax checking account. Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Barrasse, Mr. Williams and Mr. Rinaldi voted in favor. President Rinaldi then called for an Executive Session at 8:05 p.m. The Council meeting reconvened at 8:30 p.m.

PERSONNEL: Mr. Williams discussed the candidate search for a Borough Secretary/Treasurer after the resignation of Janice Brown. He and President Rinaldi interviewed five (5) candidates and after considerable discussion, are recommending Joanne Culbertson for the position of

Secretary/Treasurer and Local Services Tax Collector. She will have a training period of June 1-17. She would then start on Monday, June 22, 2015. President Rinaldi asked for a motion to appoint Joanne M. Culbertson, 300 Carpenter Hill Road, South Abington Township, PA as Borough Secretary/Treasurer and Local Services Tax Collector at a rate of \$15.00 - \$18.00 per hour with five sick days in the first year and one week's vacation as earned effective June 21, 2015. Mrs. Earley motioned, seconded by Mr. Barrasse to hire Joanne Culbertson as the Borough Secretary/Treasurer and Local Services Tax Collector at a rate of \$16.25 per hour with five sick days in the first year and one week's vacation as earned effective June 21, 2015. Ms. Palmer announced that she read all of the resumes, however she will not vote for anyone she was not given an opportunity to interview and in her opinion this was an unprecedented manner of hiring office staff. Mr. Hughes, Mrs. Earley, Mr. Williams, Mr. Barrasse, and Mr. Rinaldi voted in favor of hiring Ms. Culbertson. Ms. Palmer abstained due to the fact that she did not interview the applicant. President Rinaldi also asked for a motion to appoint Joanne M. Culbertson, 300 Carpenter Hill Road, South Abington Township as Assistant Borough Secretary/Treasurer effective June 1, 2015 at a rate of \$15.00 per hour during her training period which ends June 19, 2015. Mr. Barrasse motioned, seconded by Mr. Hughes to appoint Joanne M. Culbertson, 300 Carpenter Hill Road, South Abington Township as Assistant Borough Secretary/Treasurer effective June 1, 2015 at a rate of \$15.00 per hour during her training period which ends June 19, 2015. Mr. Barrasse, Mr. Williams, Mr. Hughes, Mrs. Earley and Mr. Rinaldi voted in favor. Ms. Palmer abstained due to the fact that she did not interview the applicant. Mr. Rinaldi then discussed the appointment of the interim Real Estate Tax Collector. He and Mr. Williams interviewed three (3) Clarks Green residents who expressed an interest in being the interim tax collector, which as currently stands would serve from July 1, 2015 to December 31, 2015. Two of those individuals removed themselves from consideration. Mr. Williams reported that they stressed to the candidates that the position was an interim position. One particular candidate stood out in terms of knowledge of financial issues with respect to computer technology. That candidate is Mary O'Brien who lives at 117 N. Abington Road in Clarks Green. Mr. Rinaldi reported that he was impressed with the three (3) candidates interviewed. Mr. Williams motioned, seconded by Mr. Hughes to appoint Mary V. O'Brien, 117 N. Abington Road as interim Clarks Green Borough Real Estate Tax Collector effective as of the resignation date of the current Clarks Green Borough Real Estate Tax Collector until the first Monday in January 2016. Ms. Palmer stated that she disagreed with the choice. Mr. Williams, Mrs. Earley, Mr. Hughes, Mr. Barrasse and Mr. Rinaldi voted in favor. Ms. Palmer abstained due to the fact that she did not interview the applicant. DPW employee Charles Saxe, who was hired October 23, 2014 asked for an advance of one week of vacation. He will be gone September 14 through September 18, 2015. He has provided the Borough with a paid receipt for the deposit at the rental location. Mr. Rinaldi asked for a motion to approve the advance of 1 week vacation for Mr. Saxe to be deducted from his second year of vacation time to allow him and his family to vacation from September 14 through September 18, 2015. Ms. Palmer motioned, seconded by Mr. Williams to approve the advance of one (1) week vacation for Mr. Saxe to allow for he and his family to vacation from September 14 through September 18, 2015. Ms. Palmer, Mrs. Earley, Mr. Williams, Mr. Hughes, Mr. Barrasse and Mr. Rinaldi voted in favor.

BUILDING & GROUNDS: Mr. Rinaldi reported that Lackawanna Wireless completed the installation of wireless service to the Borough. The Borough currently has public Wi-Fi from the gazebo in the back yard extending to the park across the street.

HEALTH & SAFETY: Mr. Barrasse reported that Chief Gerrity handled the speed sentry on Vassar Avenue to resolve the complaint on that street. A report of the outcome will be sent to the resident. He also reported that Northeast Signal will work on the control unit in a couple of weeks to hopefully resolve the issue of vehicles entering Abington Road from Grove Street.

PUBLIC WORKS: Mr. Earley reported that four (4) bids were received for the Glenburn Road paving project. They were opened on Monday, May 18, at 11:00 A.M. The bid results are as follows: Wayco, Inc., \$49,189.76; American Asphalt, \$49,209.90; Kriger Construction, \$65,745.00; and Eastern Industries, \$88,014.87. Assuming the bids are in order and all supporting documents are provided, Mrs. Earley motioned, seconded by Mr. Hughes to award the contract to Wayco, Inc. In the event Wayco's proposal is flawed, then the contract should be awarded to American Asphalt with the same understanding that their bid documents are not flawed. Ms. Palmer asked if Wayco, Inc. had done any work in the Borough in the past. Mrs. Earley replied that she did not know. Mrs. Earley reported as part of the Glenburn Road paving project, we need to award a contract for the cleaning, TV Inspection, air testing, grouting, and the manhole inspection project. This work will be carried out prior to the paving project. The following telephone quotes were received: National Water Main Cleaning, \$11,475.00; Pipe Services Corporation, \$13,406.00; Sewer Specialty Services, Co., Inc. \$13,850.00. Mrs. Earley motioned, seconded by Mr. Barrasse to authorize the DPW Foreman to contact National Water Main Cleaning and inform them that their price quote was the lowest received and they are being awarded the work. Mr. Williams, Mrs. Earley, Ms. Palmer, Mr. Barrasse. Mr. Hughes, and Mr. Rinaldi voted in favor. Mrs. Earley reported on the rental of a street sweeper. The DPW Foreman explored the option of getting a street sweeper attachment for the skidster which was acquired two years ago. The prices quoted for the new equipment were less than the cost of two years rental fees for a sweeper. The following quotes were received: Powell's, \$5,228.75; Medico Industries, \$6,148.00; Five Star Equipment, \$6,350.00 and Cleveland Brothers, \$8,750.00. Mrs. Earley explained there is \$1,700.00 in the Budget for street sweeping. Mrs. Earley motioned, seconded by Mr. Barrasse to purchase a street sweeper brush attachment for the skidster from Powell's in the amount of \$5,228.75. After questions from members of Council and visitors who were in attendance, Mr. Barrasse, Ms. Palmer, Mrs. Earley, Mr. Williams, Mr. Hughes and Mr. Rinaldi voted in favor.

REFUSE & RECYCLING: Ms. Palmer had nothing to report.

AAJRB: Ms. Palmer reported the AAJRB minutes have not been distributed. The softball field has been switched around and is working out great. She did not have the date of the Fishing Derby available but will get it out and is asking that it be posted on the website. President Rinaldi announced the bids were received for the pre-cast restroom building and are being reviewed. The Rec Board will forward the recommendation to Clarks Green Borough and the project will be awarded.

ACOG: Ms. Palmer reported that ACOG met but did not have a quorum. Discussion included having an event for first responders sometime in late September on a Saturday or Sunday. Discussion also included having a recycling event. The Association of Borough's meeting included discussion about the Earned Income Tax collectors as well a push to consolidate the Real Estate Tax collections.

ARWA: Mr. Rinaldi discussed the search for a Clarks Green Sewer Authority representative. Clarks Green resident Stuart Pollack took a couple of days to consider being the representative but now has declined. Clarks Green resident Lynette Danzig, CPA, was waiting until tax season to be over to decide whether she was interested in the position and she has now declined. Mr. Rinaldi reported the new treatment plant had an overflow event on April 21 due to an approximately 1 ½ inch rainfall. A malodor event was reported to DEP as is required. He reported the staff meets weekly to familiarize themselves with the new processes in the new plant. On May 6, 2015 there was a disbursement from the PennVest loan of \$800,575.10. The balance on the PennVest loan is now \$832,294.57. Mr. Rinaldi announced the completion date, according to the contract with Quandel, is October 31, 2015.

NEW BUSINESS: President Rinaldi invited anyone who wished, to say a few words in memory of Barry Phillips. Gerard Hetman, on behalf of the Lackawanna County Commissioners, expressed his condolences and sympathy to the family of Mr. Phillips. To Gerard, Barry was a kind and humble man. Mr. Hetman stated the sign of a humble man is someone who made an impact on the lives of others, which Barry did. Mr. Hetman, as well as others, will miss him. Rick Williams stated he met Barry when Barry moved to the Borough thirty (30) years ago and they both had young children. Borough Council asked Barry and Rick to represent the Borough on a committee that was going to introduce recycling to the Abingtons. Barry was determined that they were going to accomplish their work before the state legislature mandated recycling, which they did. Rick and Barry had met every two to three weeks and reached their goal. He will remember Barry as a real gentleman and a kind person. President Rinaldi stated that last Friday Clarks Green Borough lost a long time resident and a member of our Council. He was privileged to personally know Barry for the three (3) years he served on Council. During that time, Mr. Rinaldi discovered what a lot of Clarks Green residents already knew, that Barry was a good man of deep faith and conviction. He was someone that Clarks Green Borough and Summit University was lucky to have in our lives. He was someone who was always willing to contribute to the common good. This Council accomplished a great deal because Mr. Phillips chose to serve our residents. Mr. Rinaldi, on behalf of our Council and residents, expressed his condolences to Barry's wife Sarah, daughters, Jana, Sharon and Elizabeth. May you Rest in Peace. Ms. Palmer remembered Barry as being honest, sincere, and ethical and someone she trusted to vote for things for the right reasons. She will miss him very much. Mr. Williams echoed what was previously said. Barry and his family moved in across the street from Mr. Williams in 1987. He was a humble, kind and generous man who would do just about anything for anybody. Mr. Phillips brought his analytical skills to Council to solve problems. As someone who was an educator, Mr. Phillips used these skills as a Council member. Mr. Barrasse echoed those comments. Even though he knew Barry for only two (2) years while on Council, he had an immense effect on Mr. Barrasse. While reviewing the Fire Contract, he had everything on a big white board which helped immensely. He was very humble, as had been mentioned earlier. Even though he had 2 PhD's, 3 Master's Degrees, a

family of 3 beautiful daughters, he still had time to give to his community as a Council member. His family showed tremendous faith at his wake, even comforting those in line. He offers his condolences to Council who has known him for such a long time. Mayor Thorburn stated he was a quiet man who helped everybody, who was non-confrontational, went down the middle of the road. He was an excellent Councilman. Ms. Palmer mentioned that Mr. Phillips and his daughter had cleaned her sidewalks three times after snowstorms which she will never forget. Mr. Barrasse stated that Barry is on the ballot this past term and his wife insisted on coming in and completing her vote on the same day the funeral took place. Mrs. Earley remembered him as an exceptional person. He had been asked to join the Abington Area Joint Recreation Board and declined by stating that his daughter was in high school, and those hours spent with her are precious. He did not want to accept this task at this time, showing his commitment to family. Mr. Hughes offered his sympathy to Keith, who was a neighbor to Barry. He gathered that Council had some rough patches, and he understood that both Keith and Barry brought stability to council, for which Mr. Hughes respects. His only regret is that he never stated these feelings to Barry and is now thanking Keith. President Rinaldi read two tributes to Keith. The first one is from the Borough DPW staff. "We really can't put into words how much we will miss Barry. He is one of the nicest guys we have ever met. Our thoughts and prayers go out to his family." Another tribute from Zoning Officer Lori Harris stated "I truly enjoyed working with Barry. He was such a kind man who was always there when I needed him. He would meet with me, ask very good questions, sometimes catching me off guard, take notes, sometimes on his lap top, and make a decision. I always felt better after speaking with him. I will miss him."

MOTION FOR ADJOURNMENT: Mrs. Earley motioned, seconded by Mr. Barrasse to adjourn the meeting at 8:55 p.m.

Janice F. Brown, Secretary/Treasurer