

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
JULY 15, 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.

ROLL CALL: Secretary Culbertson conducted roll call. The following were present: Mr. Barrasse, Ms. Osborne, Mrs. Earley, Mr. Hughes, Ms. Palmer, Mr. Williams, Mr. Rinaldi and Solicitor Weinschenk.

ABSENT: Mayor Thorburn.

APPROVAL OF MINUTES: Ms. Palmer motioned, seconded by Mr. Hughes to approve the minutes of the June 17, 2015 Council meeting. Mr. Barrasse, Mrs. Earley, Mr. Hughes, Ms. Osborne, Ms. Palmer, Mr. Williams and Mr. Rinaldi voted in favor.

VISITORS: Gerard Hetman, Lackawanna County Outreach, Officer Scott Siegler, South Abington Police Department, Meredith Colohan, Abington Journal Reporter, Greg and Ellen Kotchick, 714 Highland Avenue, Bill Sherlock, 329 Clark Street, Colleen Jumper, 410 North Abington Road, Susan Stampien, 1229 Elkview Drive, Lisa Allardyce, 5 Amato Drive, Moosic, PA.

MAYOR'S REPORT: Mayor Thorburn was absent. No report was given. Mr. Rinaldi asked Officer Scott Siegler if there was any activity that Council needed to be aware of and Officer Siegler responded that there is nothing currently under investigation. Mr. Rinaldi stated he noticed that the police department is continuing to monitor speeding and issuing citations.

PUBLIC COMMENT: Ms. Susan Stampien, 1129 Elkview Drive, addressed Council regarding a 5K Run/Walk sponsored by the Our Lady of Peace school on Saturday, September 12th at 10 a.m. it will be a kickoff for the yearly back-to-school picnic. Ms. Stampien stated it is an 8th grade service project. The 5K Run/Walk will be leaving St. Gregory's parking lot and will be using the backstreets of Clarks Green. Ms. Stampien assured Council the route of the 5K Run/Walk is safe which avoids Fairview and Abington Roads. Mr. Hughes felt that Chief Gerrity would not have a problem with the route. Ms. Stampien then stated that the students will inform the residents that the 5K Run/Walk will be held on their streets with letters left at their front door. The closure of the streets will be approximately be an hour and ten (10) minutes. Mr. Rinaldi asked for a motion to approve the request contingent upon the approval of the South Abington Police Department for the closure of the streets involved in the Our Lady of Peace 5K Run/Walk. Mr. Barrasse motioned, seconded by Ms. Palmer. Mr. Barrasse, Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Williams, Ms. Osborne and Mr. Rinaldi voted in favor. Mr. Greg Kotchick, 714 Highland Avenue, briefly commented that he was following up on a water issue at their residence which Mrs. Ellen Kotchick addressed at the last Council Meeting. Mrs. Earley informed Mr. Kotchick that she was going to address their water issue in her report to Council and that Council approval will be needed. Mr. Bill Sherlock, 329 Clark Street, expressed his concern on PODs stating they are a growing problem. Mr. Sherlock referred to his neighbor who has had a POD at the residence for nine (9) months and then

asked Council if there was an ordinance concerning PODs. Mr. Rinaldi reported to Mr. Sherlock that a registered letter was sent to the neighbor. Mr. Rinaldi informed Mr. Sherlock that Pam Osborne will be contacting him with updates after contacting the zoning officer, Ms. Lori Harris. Mr. Sherlock then preceded to advise Council that a speeding problems exists within the community of Clarks Green. Mr. Sherlock informed Council that he called the State Representative Office of Marty Flynn and spoke to Thom Welby with his concerns on speeding. Mr. Sherlock reported to Council that there is a law permitting speed bumps in Pennsylvania with the only restriction that the speed limit needs to be twenty-five (25) miles or less and that you need to contact Penn Dot. Mr. Sherlock told Council that a major accident will occur if something is not done. Mr. Barrasse welcomed his concerns and told Mr. Sherlock that if you see specific trends on speeding occurring that he should contact Chief Gerrity as well as Council. Mr. Barrasse discussed that systems can be installed to track vehicles to get a better idea of the significant problem. Ms. Palmer commented that she is in favor of speed bumps.

LACKAWANNA COUNTY COMMUNITY RELATIONS: Mr. Hetman informed us that Lackawanna County in cooperation with the Pennsylvania Department of Conservation and Natural Resources — Bureau of Forestry are accepting requests for the treatment for the 2016 program for Gypsy Moths. Mr. Hetman reported on upcoming events throughout the County and distributed flyers regarding those events.

SOLICITOR’S REPORT: Solicitor Weinschenk had nothing specific to report on. He asked members of Council if anyone had any questions, of which there were none.

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 | \$ | 29,361.88 |
| General Fund Checking | | 285,360.62 |
| General Fund Money Market | | 35,251.04 |
| Sewer Fund Checking | | 273,931.34 |
| Sewer Fund Money Market | | 84,941.63 |
| State Funds Checking | | <u>43,057.03</u> |
| Total Checking/Savings | \$ | 751,903.54 |

Mr. Hughes compared account balances of last month and last year. Mr. Hughes noted on some large bills that had been paid which included the South Abington Police Contract for \$7437.00, \$5228.00 for DPW equipment purchases, Auditor’s fee of \$6650.00 and the loan payment to NBT Bank for \$4086.00. Mr. Hughes motioned, seconded by Mrs. Earley to accept the Treasurer’s Report and ratify the payment of the bills. Mrs. Palmer, Mrs. Earley, Mr. Hughes, Mr. Barrasse, Mr. Williams, Ms. Osborne 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. Mr. Hughes, after reviewing the comparisons of the accounts, stated that all in all it was a good month and that we are in a favorable position compared to our budget thus far. Mr. Hughes talked about the delinquent sewer bills and stated that certified letters went out for anyone who was delinquent for six (6) months. Mr. Hughes mentioned specifically on account #525 that had a lien that the delinquent sewer payment had been collected in the total amount due of \$2800.00. Mr. Hughes also stated the

back real estate taxes have also been collected on the property that amounted to \$2000.00. Mr. Hughes asked Secretary Culbertson to email Solicitor Weinschenk on account #525 that the account has been paid in full and the lien can be satisfied. Mr. Hughes reported the accounts #187, #526, and #536 had not been paid and Council will be working with the Tax Collector to determine if these properties have mortgages. If so, the Borough will then contact the mortgagee to collect the delinquent sewer charges before the properties are placed on lien. Finally, Mr. Hughes asked Council to review a copy of a letter being sent to Mr. Michael Dougherty in response to the 2014 Audit and if there are any comments, they can be shared with Mr. Hughes directly or Secretary Culbertson.

PERSONNEL: Mr. Williams stated he had nothing to report. The month has been quiet with no issues.

BUILDINGS & GROUNDS: Ms. Osborne had nothing to report and told Council that the air-conditioning problem experienced during our last meeting was a simple repair which was fixed the next day. Ms. Osborne stated she was going to contact the Zoning officer regarding the POD situation.

HEALTH & SAFETY: Mr. Barrasse told Council that he will follow-up with Chief Gerrity on the Our Lady of Peace Run/Walk. Mr. Rinaldi informed Mr. Barrasse that there is a form that needs to be filled out and it can be obtained from the Zoning Officer. Mr. Barrasse informed Council a complaint had been received about traffic problems in the College Park area of the Borough. Mr. Barrasse explained that Chief Gerrity did a study in the area and will take the appropriate actions based on his findings. Mr. Barrasse told Council that he did a follow-up with Mr. Lonieski concerning his traffic complaint. Mr. Barrasse informed Council on a County Waste hydraulic fluid leak at Spring and Maple Streets which was reported by Mike Pehonich, Clarks Green DPW worker. Mr. Rinaldi informed Mr. Barrasse that the trash hauler informed the Borough of the hydraulic leak and the environmental cleanup crew, Datom Products cleaned up the spill. Mr. Barrasse notified Council that the defibrillator has been ordered and should be received next week.

PUBLIC WORKS: Mrs. Earley did a brief update on SAPA on which she serves as Treasurer. Since Clarks Green's approval of the plan, Scranton delayed the adoption of the plan due to new members on Scranton's Council but its participation in the plan was finally approved last year. An implementation agreement has been developed by a subcommittee of SAPA members. On Tuesday, July 21st at 7 p.m. at the Dunmore Community Center located at 1414 Monroe Avenue there will be a discussion on the details of the plan along with a historical review of SAPA's beginning and what the multi-municipal plan seeks to accomplish. Mrs. Earley stated she has three (3) copies of the draft implementation agreement. She distributed one each to Solicitor Weinschenk, Mr. Rinaldi, Council President and the third copy will be located the Clarks Green Borough office. Mrs. Earley reported that the Clarks Green paving program has been completed for the year. Paving has been completed in the 200, 300, and 400 blocks of Glenburn Road. She also mentioned that the DPW crew were impressed with the quality of the paving as well as the great effort the Contractor made in finishing quickly. Mr. Earley reported on two (2) water storm water runoff problems: the Spatt residence on Pineview Circle and the Kotchick residence on the corner of Birchwood and Highland. There has been a discussion with these residents on June 29th

over their concerns which included herself, the residents along with Zachary Smith and Jack Scheuer, Cardno/BCM acting engineers for the Borough. In regard to the Spatts' property, Mr. Scheuer's opinion was even after the property owner re-installs the curbing, there may still be a water problem because the property is located on the bottom of a hill. Mr. Scheuer proposed that a catch basin be installed at the low point of the cul-de-sac tying in with the existing catch basin and drainage field if the replacement of the curbing fails to correct the situation. The property owner, Mr. Spatt is willing to make the necessary adjustments to the land as long as the Borough commits to installing a new catch basin. Mrs. Earley did report that an agreement would have to be drawn up by the Solicitor Weinschenk and signed before proceeding. Mrs. Earley motioned to Council that Solicitor Weinschenk memorialize the agreement. Mr. Rinaldi then spoke informing Council that there is some type of work taking place at the Spatt's residence. On the 2nd of July, DPW worker, Mike Pehonich texted Mr. Rinaldi that there had been material deposited on the street in the cul-de-sac. Mr. Rinaldi told Mike Pehonich to contact Ms. Lori Harris on this situation. Before the council meeting, Mr. Rinaldi tried contacting Lori Harris to find out about the situation in question but he could not reach her and Mike Pehonich had not spoken to her at this point. Mr. Rinaldi then proceeded to show photos to Council that a french drain was installed and there was some type of work being done to the backyard. Mr. Rinaldi believed the location of the work was within a part of the designated wetlands. Mr. Rinaldi told Council that he will talk directly with Lori Harris and that Ms. Osborne and himself will follow-up on what is going on at the Spatt's residence. At this point, Mr. Rinaldi asked Council if a discussion needs to take place before any motion takes place to memorialize an agreement. Ms. Palmer questioned the curbing and Mrs. Earley stated the curbing is gone and can see remnants scattered around. Mrs. Earley proceeded to explain that all the concrete curbing is intact in the cul-de-sac except at the Spatt property. Mrs. Earley told Council Mr. Spatt agreed on fixing the missing curbing and that he was responsible for it and then Borough would install a catch basin. Mr. Rinaldi stressed to Council that once Mr. Spatt installs the curbing, then the Borough will revisit the situation and, if appropriate, the Borough will install the catch basin. Mr. Rinaldi feels it is a substantial investment of taxpayer's money. Mrs. Earley asked if we can do a motion contingent upon Mr. Spatt replacing the curbing, then determining the extent of the problem. At this point, Mrs. Earley motioned to memorialize the agreement seconded by Mr. Hughes. Ms. Palmer, Mr. Barrasse, Mrs. Earley, Mr. Williams, Ms. Osborne, Mr. Hughes and Mr. Rinaldi voted in favor. Mrs. Earley proceeded to report on Kotchick's residence the corner of Birchwood and Highland Avenue. She stated the residents have a swale in the back of their property that is receiving water from adjoining properties. After reviewing the area, Jack Scheuer informed the Kotchick's that high levels of ground water are typical in the Birchwood area which may have caused the problem to their pool liner. The residents agreed that the Borough would not be responsible for their pool lining that was pushed up by the ground water. Mr. Scheuer does believe that the pipe that the Borough replaced on Birchwood might be too high to drain the water that accumulates in the swale and that the pipe could be lowered six (6) to eight (8) inches. However, the residents would need to agree to keep the swale free of mud and debris making the water drain more effectively from the yard. Mrs. Earley motioned to have Solicitor Weinschenk memorialize this understanding in an agreement the Kotchick's would sign. Council decided to wait till next month's meeting to vote on the agreement. Solicitor Weinschenk needed drawings from Jack Scheuer as well as more precise language as noted by Mr. Hughes. Mr. Rinaldi informed Council the DPW had stated it would take a week to complete the work. Ms. Palmer noted that this was an expensive item and asked if Jack Scheuer was sure his solution was going

to alleviate the problem. Mrs. Earley responded by saying "Mr. Scheuer believed it would." Mrs. Earley went on to report that before site visits on June 29th, Mrs. Earley and the Borough Engineers met for an hour to discuss the MS-4 annual report that had to be submitted by July 8, 2015. Dave Kohinsky handed in his summary of all the catch basin dimensions as well as all the catch basins which were cleaned and/or repaired this spring. The system mapping had been completed and was ready for submission to DEP. The only thing missing in the report was a supporting narrative discussing the Borough's outreach efforts along with other housekeeping issues. Mrs. Earley told Council that it was agreed upon that she would research what we had done this past year and she would write the narrative for the public outreach components for the year. Mrs. Earley completed the narrative on July 6th and incorporated the components with prior materials. Mrs. Earley also informed Council that Mr. Rinaldi reviewed, made the necessary comments, and signed the report which was sent by Fed-Ex on July 7, 2015. Finally, Mrs. Earley reported that the Clarks Green Borough had a request from the Clarks Summit Borough for use of our skidsteer and street sweeping attachment. Mrs. Earley consulted Dave Kohinsky and was informed the Clarks Green's six (6) miles of roads caused the small brush to completely wear out and that the bigger brush would not go through another season without being replaced. Mrs. Earley told Council the small brush costs approximately \$300.00. Mrs. Earley then proceeded to inform Council that Clarks Summit Borough has 24 miles of roads. Mrs. Earley then questioned Council on how they wanted to proceed. Mrs. Earley stated she really did not have an opinion and Ms. Palmer voiced her concern by stating it is more than just the brushes but the wear and tear on the skidsteer. Mr. Hughes commented that he felt it would be appropriate that the Clarks Summit Borough would purchase the brushes. Mr. Barrasse also made a comment that Clarks Green uses the skidsteer quite frequently and Clarks Summit would need it for a week or two. Ms. Palmer told Council she is very involved in ACOG and very interested in municipalities helping one another but express concern about the skidsteer being over used since they have 24 miles to clean. Mr. Barrasse wanted to talk to Dave Kohinsky about other alternatives using their own equipment and just borrowing our sweeper attachment. Mr. Palmer then suggested that Clarks Summit should check with the County if they would let them use their equipment. Mrs. Earley directed the question to Lackawanna County Outreach Coordinator, Mr. Gerard Hetman, who responded he would check. Mr. Rinaldi commented that he knew Clarks Summit rented Carbondale's equipment but was not sure about the fee that was charged. Mr. Hughes stated he would like to know Dave Kohinsky's opinion concerning the rental of our equipment since the Borough bought the equipment used. With that, Ms. Palmer strongly opposed the idea of lending the skidsteer to Clarks Summit. Again, Mr. Hughes stated he wanted to hear Dave Kohinsky's opinion. Mr. Rinaldi suggested that this can be worked on at the next work session before making a decision.

REFUSE & RECYCLING: Ms. Palmer reported that the trash on Yale Boulevard has been finally removed. Ms. Palmer commented on how many times she had driven around the property because of the trash complaints associated with the property. Ms. Palmer explained how she spoke to the owner and the circumstances that lead to the huge amount of trash at his residence. Ms. Palmer notified Council that he had paid his bill with County Waste and questioned the possibility of a lien against his property since County Waste was to charge for the removal of the trash. Mr. Rinaldi advised Ms. Palmer since the property owner had paid his bill, County Waste had a contractual obligation with unlimited pickup. The Borough should not receive a bill. Mr. Rinaldi

then preceded to state that we can determine what needs to be discussed once we find out if there is going to be a bill from County Waste for the removal.


AAJRB: Ms. Palmer reported that she did not attend the meeting. She had nothing to report.

ACOG: Ms. Palmer informed us that ACOG does not meet for the months of June and July. She had nothing to report.

ARWA: Mr. Rinaldi reported to Council that the Sewer Authority meeting was held last Wednesday. Some of the highlights discussed were with new monitoring systems in place, the Authority eliminated the contract with a security firm for that service. The Authority also received a credit of \$14,659.42 from their energy supplier, Champion Energy, after an internal audit was conducted and found excess charges. On June 22nd the Plant experienced another sewer overflow at the aeration tank splitter box. This was a situation where there was a temporary apparatus for those sections of the plant which are no longer needed. As a result, the Authority Board was assured this problem would not occur again. Another staff training session occurred on June 17th concerning the chemical feed aspect of the new plant. Mr. Rinaldi also informed Council the 2014 audit was complete and a copy was given to Mr. Hughes to review. Additionally Mr. Hughes also received an Audit required by the Bond Indenture. Both Audits will be available in the Clarks Green Borough office. Mr. Hughes informed Council he will review both Audits and report at the Council's next work session. Mr. Rinaldi informed Council that the substantial completion date for the new plant reported as the end of July is now estimated for August. The general contractor, Quandel assured the Authority Engineer the plant will be removing waste from the water pursuant to DEP's regulations by mid-September. The plant itself will be completed by per the contract the end of October.

NEW BUSINESS: Mr. Rinaldi pointed out that new business was discussed in the Public Works segment of the Council Meeting.

MOTION FOR ADJOURNMENT: Ms. Palmer motioned, seconded by Mr. Williams to adjourn the meeting at 8:12 p.m. All I attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
AGENDA

August 19, 2015

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE – President Rinaldi**
2. **ROLL CALL – Secretary Culbertson**
3. **MOTION TO ACCEPT MINUTES**
4. **MAYOR’S AND POLICE DEPARTMENT REPORTS**
5. **PUBLIC COMMENT**
Visitors wishing to address Council are asked to approach the podium and kindly state their name and address. Visitor comments are limited to 5 minutes.
6. **GERARD HETMAN, LACKAWANNA COUNTY DEPARTMENT OF COMMUNITY RELATIONS**
7. **SOLICITOR’S REPORT – Solicitor Weinschenk**
8. **TREASURER’S REPORT AND BILL APPROVAL – Mr. Hughes**
9. **FINANCE COMMITTEE – Mr. Hughes**
Budget Analysis Financials
Sewer Account Delinquencies and Payments
RE Tax Collector Exit Audit Proposal
10. **PERSONNEL – Mr. Williams**
11. **BUILDING & GROUNDS COMMITTEE – Ms. Osborne**
12. **HEALTH & SAFETY COMMITTEE – Mr. Barrasse**
13. **PUBLIC WORKS – Ms. Earley**
14. **REFUSE & RECYCLING COMMITTEE – Ms. Palmer**
Leaf Bag Distribution Discussion
15. **AAJRB COMMITTEE – Ms. Palmer**
16. **ACOG REPORT – Ms. Palmer**
17. **ARWA REPORT – President Rinaldi**
18. **OLD BUSINESS**
Discussion on 108 Cook Street project authorization procedures (Executive Session)
Consideration of SAPA Agreement
19. **NEW BUSINESS**
20. **ADJOURNMENT**

NOTE TO VISITORS: Please sign the attendance sheet and indicate if you wish to observe the meeting or to address Council, stating the agenda topic on which you would like to comment. Thank you.