CLARKS GREEN BOROUGH
COUNCIL MINUTES
SEPTEMBER 16, 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. Palmer, Ms. Osborne, Mrs. Earley, Mr. Hughes, Mr. Williams, Mr. Rinaldi, Mayor Thorburn and Solicitor Weinschenk.

APPROVAL OF MINUTES: Ms. Palmer motioned, seconded by Mr. Barrasse to approve the minutes of the August 19, 2015 Council meeting. Mrs. Earley, Mr. Hughes, Mr. Barrasse, Mr. Williams, Ms. Osborne, Ms. Palmer and Mr. Rinaldi voted in favor.

VISITORS: Gerard Hetman, Lackawanna County Outreach, Officer Tom Percival, South Abington Police Department, Meredith Colohan, Abington Journal Reporter, Peter Giermanski,103 Pineview Circle, and Denise Prowell, SAPA Secretary, 614 Center St. Clarks Summit.

MAYOR'S REPORT: Officer Tom Percival had nothing specific to report but told Council that they had investigated one or two traffic accidents, conducted non-criminal investigations, and had two (2) frauds reported over the internet. Officer Percival also mentioned a woman reported CDs missing from her home but Officer Percival told Council that there was not enough of information for a full investigation. Mayor Thorburn thanked Officer Percival on responding to an altercation that involved the Mayor and a resident in Clarks Green regarding the posting of garage sales signs on utility poles. Mrs. Earley questioned Officer Percival on the break-in at the Assembly of God Church a few months ago. Officer Percival replied the investigation is still open. Mr. Williams asked Officer Percival on the fraud investigations if they had found similarities such as related websites. Officer Percival told Council that they did not see similarities but there are so many the Police are having trouble keeping up with them. Mr. Rinaldi stated between traffic citations and warnings primarily on Abington Road and Fairview Road the report shows 19 had been issued in the course of the month. Mayor Thorburn stated that these roads are our busy spots. Mr. Rinaldi stated the Borough always get complaints about speeding on Fairview Road. Ms. Palmer reported a complaint to Officer Percival regarding speeding on Grove Street. Ms. Palmer offered for the Police to sit in her driveway to monitor the speeding. Mayor Thorburn told Council that he was invited to the Mayor's Prayer Breakfast and will be taking President Dave Rinaldi as his guest. Mayor Thorburn informed Council he had sent in the 2015 NIMS Report. Mayor Thorburn questioned Mr. Barrasse on the Hazardous Mitigation Agreement with Lackawanna County. Mayor Thorburn mentioned that it will probably will need to be adopted.

PUBLIC COMMENT: Mr. Peter Giermanski told Council he recently has moved into the Borough and wanted Council to be aware of the speeding on Fairview Road. He stated he purposely drives at 25 mph in the Borough so cars slow down behind him. Mr. Giermanski related to Council a diesel pickup truck passed him on Fairview Road recently. The Resident is hoping that the speeding will get addressed.

LACKAWANNA COUNTY COMMUNITY RELATIONS: Mr. Hetman informed Council that the Community Re-Invest Grant from the Department of Planning and Economic Development had been approved for $4720.00 for the purchase of the defibrillator and automatic door opener for handicapped access to the Borough Building. Mr. Hetman reported on the upcoming events within the County; the Senior Health Fair at PNC Field on September 18th, Heroes Day at the 911 Center on September 19th, the Countywide Tire Collection Event from September 16th to the 19th, the Wake Up with the Arts Breakfast at PNC Field on September 25th, and the Annual Fishing Derby scheduled on October 3rd at the Merli-Sarnoski Park. Mr. Hetman provided flyers for these various events in the County. Mr. Hetman informed Council that the County Budget process has been started and the tentative Budget will be presented October 15th. Mr. Hughes asked Mr. Hetman to pass on our appreciation for the Re-Invest Grant to the County Commissioners and Mr. Kelly. Mr. Hughes then thanked and acknowledged Mr. Hetman's efforts in support of the Clarks Green Borough's grant application.

SOLICITOR'S REPORT: Solicitor Weinschenk introduced Ordinance 3-2015 the SAPA Ordinance which has been duly advertised in the Abington Journal. Solicitor Weinschenk told Council it is ready for adoption if Council so desires. Solicitor Weinschenk explained it is an ordinance approving the Intergovernmental Cooperative Implementation Agreement for the Scranton-Abingtons Planning Association multi-municipal comprehensive plan for the Boroughs of Clarks Green, Clarks Summit, Dalton, Dunmore and the City of Scranton and the Townships of Glenburn, Newton, South Abington, Waverly, and West Abington. Mr. Hughes motioned to adopt Ordinance 3-2015 SAPA Agreement Ordinance and Mrs. Earley seconded. Ms. Palmer, Mr. Barrasse, Mrs. Earley, Mr. Hughes, Mr. Williams, Ms. Osborne and Mr. Rinaldi voted in favor.

ORDINANCE NO.3 OF 2015

BOROUGH OF CLARKS GREEN
LACKAWANNA COUNTY, PENNSYLVANIA

AN ORDINANCE APPROVING THE INTERGOVERNMENTAL COOPERATIVE IMPLEMENTATION AGREEMENT FOR THE SCRANTON—ABINGTONS PLANNING ASSOCIATION (SAPA), A MULTI-MUNICIPAL COMPREHENSIVE PLAN BY THE BOROUGH OF CLARKS GREEN AND THE ADJACENT MUNICIPALITIES OF CLARKS SUMMIT BOROUGH, DALTON BOROUGH, DUNMORE BOROUGH, THE CITY OF SCRANTON, GLENBURN TOWNSHIP, SOUTH ABINGTON TOWNSHIP, WAVERLY TOWNSHIP AND WEST ABINGTON TOWNSHIP

NOW THEREFORE, be it ordained by the Borough Council of the Borough of Clarks Green, Lackawanna County, Pennsylvania as follows:
Section 1. The proper officers of the Borough of Clarks Green are authorized and directed to execute and deliver the Scranton-Abingtons Planning Association (SAPA) Intergovernmental Cooperative Implementation Agreement for implementing a Multi-Municipal Comprehensive Plan dated as of September 16, 2015 by and among the Borough of Clarks Green and the Boroughs of Clarks Summit, Dalton and Dunmore, the City of Scranton and the Townships of Glenburn, South Abington, Waverly and West Abington, a copy of which is attached hereto (the "Intergovernmental

Cooperative Implementation Agreement"). The specific terms, conditions and provisions of the Intergovernmental Cooperative Implementation Agreement are made a part hereof.

Section 2. The conditions, duration and term, purpose and objective, scope and authority delegated, manner and extent of financing, and organizational structure are set forth in the attached Intergovernmental Cooperative Implementation Agreement.

THIS ORDINANCE is effective upon enactment.

ENACTED AS AN ORDINANCE of the Borough of Clarks Green this 16th day of September, 2015.

ATTEST:
/S/ Joanne Culbertson
Secretary

BOROUGH OF CLARKS GREEN
By: /S/ David J. Rinaldi
David J. Rinaldi, President
Clarks Green Borough Council

(SEAL)
Approved this 16th day of September 2015.

By: /S/William Thorburn
William Thorburn, Mayor

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	$	29,362.89
General Fund Checking		271,692.09
General Fund Money Market		35,252.24
Sewer Fund Checking		212,253.89
Sewer Fund Money Market		84,944.51
State Funds Checking		1,064.34
Total Checking/Savings	$	634,569.96

Mr. Hughes compared account balances of last month and last year. Mr. Hughes pointed out when comparing last year to this year that the Capital Fund is $10,000.00 better, the General Fund checking account is $18,000.00 better, Sewer Fund checking account is $71,000.00 better and our State Fund account is $37,000.00 lower and that is simply a timing matter when we paid the funds out for the road work completed in October 2014. Mr. Hughes stated to the Council that the Sewer Fund was $77,000.00 lower than last month explaining that borough issued a check to the Abington Waste Water Authority and that the State Fund account is $42,000.00 lower as a result of the Glenburn Road paving project. Mr. Hughes informed Council that an additional $7,000.00 was needed for the Glenburn Road paving project which was evenly split with the Sewer and General Fund accounts. Mr. Hughes pointed out a few bills that were paid out of the General Fund checking account which were out of the ordinary or larger. This included PABCO Industries for borough's leaf bags for $3,397.00, South Abington Township Police Contract $7,437.00, and the Solicitor's fee $1,456.00. Mr. Hughes pointed out that we had a credit from over-billing on fees from the Solicitor $546.00. Mr. Rinaldi thanked Secretary Culbertson in negotiating a lower price which included no delivery charges for the purchase of the annual leaf bags. Mr. Hughes motioned,

seconded by Ms. Palmer to accept the Treasurer's Report and ratify the payment of the bills. Secretary Culbertson proceeded to call roll. Ms. Palmer, Mrs. Earley, Mr. Hughes, Mr. Barrasse, Mr. Williams, Ms. Osborne and Mr. Rinaldi voted in favor. Mr. Hughes proceeded to the Income and Expense Statement stating the Real Estate Transfer Tax is $4,000.00 lower than a year ago, the Wage and Earned Income Tax continues to be a ahead by approximately $26,000.00 including $8,000.00 from the closed Wage Tax Collector's account Mr. Hughes went on to say "all in all we are doing fine." Mr. Hughes discussed the delinquent sewer billing report. He informed Council that sixteen (16) certified letters were sent to the delinquent sewer accounts with delinquencies exceeding $284.00 while second letters sent by regular mail giving the residents an additional ten (10) days to pay their delinquent sewer accounts. Mr. Hughes announced thirteen (13) sewer delinquent accounts either paid in full or made payments and there are seven (7) properties on lien. Ms. Palmer commented she has been sitting here for seventeen years and it is always the same names on the sewer delinquencies. Ms. Palmer stated she is very sympathetic with people experiencing financial problems but feels the names on the borough's sewer delinquency list live very well. Ms. Palmer suggested that the borough should start publishing names in the paper for repeat offenses. Mr. Hughes updated Council on two (2) liens, stating account #58 will most likely be collected since current payment information had been requested and account #586 is on foreclosure. Mr. Hughes reviewed the 2013-2014 the Abington Area Recreational Board Audit and commented the number of material weaknesses a year ago was twelve (12) and told Council it has improved and that a letter will be sent addressing those weaknesses and requesting an implementation plan enacting the recommendations. Mr. Hughes analyzed the Profit and Loss statement for the Abington Area Recreational Board and told Council he had one concern, the summer activities account operating with a revenue of $27,000.00 and expenses of roughly $22,000.00 which included a grant of approximately $16,000.00, if they unable to obtain future grants funding that account will operate at a considerable loss. Mr. Hughes told Council the Liquid Fuel Audit for 2014 had taken place on August 31st and all went well. Mr. Hughes mentioned he had given Profit and Loss statements to Mr. Barrasse, Mrs. Earley, and Ms. Osborne for preparation on the 2016 Budget noting he would like to have their figures back by November 1st. Mr. Hughes will have a meeting with the borough's Finance Committee on Monday, September 21st at 5 P.M.

PERSONNEL: Mr. Williams distributed to Council a draft amendment to the Borough's Employee Handbook on medical benefits for full-time employees. Mr. Williams pointed out the Borough can then annually allocate a fixed contribution toward the benefits plan and full-time employee will then be allowed to choose what medical plan best suits their needs and the employees will pay the remainder of the premiums. Mr. Williams stated the amount of the Borough's contribution may change annually, depending on insurance costs and Borough budget constrictions. Mr. Hughes asked if this can be discussed at the next work session and all of Council agreed. Ms. Palmer questioned if adopting the revised health benefit plans will this mean a tax increase. Mr. Hughes did not know at this point. Mr. Williams informed Council that Dave Rinaldi, Pam Osborne and himself had a discussion with Lori Harris, the Zoning Officer regarding communication issues when issuing permits. Mr. Williams asked Dave Rinaldi to go into detail about the discussion and Dave Rinaldi reported one of the communication issues was the approval of the development plan for Cook Street. As a result of this miscommunication no permit that requires approval of either the Planning Commission or Zoning Board will be issued until the Borough's solicitor has the opportunity of reviewing it. Mr. Rinaldi continued and the next topic was enforcement of the ordinances and the particular case of the POD located in the driveway of a resident on Clark Street. Mr. Sherlock had complained that the POD has been there for quite a long

time and had approached Council on two occasions. Mr. Rinaldi stated Lori Harris had sent a letter to the resident when the POD had not been removed timely and has filed an action with the Magistrate under Provision of the Ordinance applicable to PODS. Since the Ordinance does not specifically mention PODS, Ms. Osborne was kind enough to get some sample ordinances for PODS and trash receptacles which had been forwarded to Solicitor Weinschenk. Solicitor Weinschenk informed Council the POD sample ordinance required PODS to be registered with the Borough Secretary and no fee or permit was required but the Borough would be able to start tracking the time it is placed on the paved surface at the private property. The property owner can request an extension by showing just cause if needed longer. The penalty would be $500.00 a day for non-compliance. Solicitor Weinschenk notified Council that the Borough can limit duration of trash dumpsters and PODs by enacting one (1) ordinance and defining them as a POD or trash disposal unit. Mr. Rinaldi suggested to Council that the potential POD and Trash Dumpster ordinance be added to the agenda for the next work session after seeing if the current Ordinance is enforceable by the recent complaint filed at the Magistrate.

BUILDINGS & GROUNDS: Ms. Osborne had nothing additional to report other than what was discussed on Trash Dumpsters and PODs.

HEALTH & SAFETY: Mr. Barrasse informed Council the delivery of the defibrillator should be arriving any day and he will place another call to Mr. Tim Rowland. Mr. Barrasse explained that they are trying to purchase the same type of defibrillator used by Clarks Summit Fire Department first responders. Mr. Barrasse reported that Chief Gerrity has increased activity in issuing citations and warnings in the College Park area and commented on the speeding on Fairview Road.

PUBLIC WORKS: Mrs. Earley reported to Council that she and the Borough Engineers have been working on the MS4-TMDL Control Measure Analysis explaining that TMDL was the Total Maximum Daily Load and had adjusted the language in their response concerning rain leaders and outflows from the Borough's storm water system. It was also noted in the response that Clarks Green has a new street sweeper that would be useful in reducing sedimentation in the Borough's storm water system. Mrs. Earley updated Council that the DEP and EPA was put on notice this was not an initiative that we could do in the future because of our commitment to the Abington Regional Wastewater Authority. Additionally, Clarks Green committed to coordinating with the Shade Tree Commission to delineate locations for tree planting and to develop a schedule for maintenance. Mrs. Earley informed Council that she would like to apply for a grant for urban tree planting and possibility, a rain garden project on the Borough's property. Mrs. Earley told Council she had spoken with Mr. Ernie Keller regarding a tree canopy grant which would allow for tree plantings in front and back yards away from borough roadways. Mrs. Earley asked for the Council's approval in applying for the grant that had an October 9, 2015 deadline. Mr. Hughes motioned, seconded by Mr. Barrasse for the approval for applying for the tree canopy grant. Ms. Palmer, Mr. Barrasse, Mr. Hughes, Mrs. Earley, Ms. Osborne, Mr. Williams and Mr. Rinaldi voted in favor. Mrs. Earley informed Council on the estimated costs for correcting the collapsed piping between catch basins for Armstrong Avenue at South Abington Road will be $41,040.00, Highland Avenue at North Abington Road $33,490.00 and for Fairview at Grayson $13,010.00 for a total cost of $87,540.00. Mrs. Earley reported on the estimates for Birchwood Road drainage at $1805.38 that included the projected labor cost of $814.88 and Pineview Circle would be $5,873.54 and that included the projected labor cost of $2037.20. Mr. Hughes asked Mrs. Earley if these projects can be prioritized and all of Council agreed that the projects will be discussed at the next work session in more detail.

Mr. Rinaldi then informed the public that these projects were on State roads and PennDOT has renounced responsibility for controlling the water on their roads.

REFUSE & RECYCLING: Ms. Palmer informed Council that the leaf bag distribution will be September 26th and the seventh and eighth grade students of Our Lady of Peace School will be helping with the distribution of bags. Ms. Palmer displayed to Council the plastic Zip-Lock bags that will be used for the flyers that will be distributed with the leaf bags to the Clarks Green residents and told Council to get the information to her as soon as possible. A tentative date of Wednesday, September 23rd at 5 P.M. was set in preparation for the leaf bag distribution. Ms. Palmer reported that Dave Kohinsky and Mike Pehonich went to the organic farm where the Borough's filled leaf bags will be delivered and felt the deliveries would be much easier than in the past.

AAJRB: Ms. Palmer reported that she was not at the last meeting. Mr. Rinaldi told Council that a percentage of the funds have been released to AAJRB. Ms. Palmer did mention fundraising for the Fall Festival has been taking place.

ACOG: Ms. Palmer informed Council the First Responder event had been cancelled due to the lack of interest from First Responders and mentioned possibly there will be some kind of recognition that will be performed at an ACOG meeting. Ms. Palmer told Council that she will be attending the PA COG Conference in Harrisburg this Sunday and Monday.

ARWA: Mr. Rinaldi reported to Council the main topic of the meeting was the completion of the plant and that Quandel insists that it will be completed by the end of September and the Authority Board is skeptical. Mr. Rinaldi reported that there is now three (3) licensed operators at the plant and that Mr. Anthony Luongo had received his Operator certification and that the plant will have four (4) licensed operators once Mr. Joseph Butkiewicz receives his certification. Mr. Rinaldi explained that the plant is now using chemical building which essentially they take aluminum sulfate and it removes phosphor from the waste water. Mr. Rinaldi told Council of a request from the Director to the Board to approve the purchase of a bagger unit for the mechanical bar screen explaining that there are things in the waste water which do not dissolve such as paper and plastic. The device will then capture those items along with the odor. Mr. Rinaldi told Council there was a split vote 5-3 and that he did not vote for bagger unit explaining that the engineers had built a ventilator system for the building and it has not been in operation so he and others on the board felt the purchase now was premature. Mr. Hughes questioned the price of the unit and Mr. Rinaldi stated the unit cost was $5,529.77 and the bags come in bagging cassettes and cost is $200.00 each and usage will be one (1) a month. Mr. Rinaldi mentioned that the Authority asked PA American Water to connect plant to another water main that has sufficient water and pressure for what is needed at the plant. Mr. Rinaldi informed Council that the DEP loosened some restrictions for the Regional Wastewater Authority which will help Clarks Green Borough by only filing a yearly report under ACT 94 instead of quarterly by the engineers making it less expensive in terms of preparing reports.

OLD BUSINESS: Mr. Rinaldi discussed the approval of the Community Re-Invest Grant and asked Council to consider putting another automatic door opener on the side door of the Borough building making the polling place handicap accessible for elections. The cost would be approximately $2300.00. Mr. Rinaldi added that the defibrillator will be part of the Re-Invest

Grant. Mr. Hughes asked Council how they want to proceed with delinquent sewer account #0270 regarding the wages taxes owed for 2011 to 2014 and Council agreed once the amounts are verified to file with the Magistrate in collection of the delinquent wage taxes.

NEW BUSINESS: Mrs. Earley told Council that the annual MS-4 meeting will be held on October 15th at 6:30 p.m. and it will be advertised in the Abington Journal. Mr. Rinaldi announced that the Joanne Culbertson's probation period has ended and went on to say that she is doing a terrific job for Council and the Residents. All of Council agreed and thanked her for her efforts.

MOTION FOR ADJOURNMENT: Mrs. Earley motioned, seconded by Ms. Palmer to adjourn the meeting at 8:45 p.m. All I attendance voted in favor.

Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
AGENDA

September 16, 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
   Approval of SAPA Ordinance, No.3 of 2015
8. TREASURER'S REPORT AND BILL APPROVAL – Mr. Hughes
9. FINANCE COMMITTEE – Mr. Hughes
   Budget Analysis Financials
   Sewer Account Delinquencies and Payments
   AAJRB 2014 Audit
10. PERSONNEL – Mr. Williams
    Employee Healthcare Benefits Discussion
    Zoning Officer Meeting Report
11. BUILDING & GROUNDS COMMITTEE – Ms. Osborne
    Storage Container (POD) Issue Discussion
12. HEALTH & SAFETY COMMITTEE – Mr. Barrasse
13. PUBLIC WORKS – Ms. Earley
    Storm Water Intersection Piping Discussion
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
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.