

**CLARKS GREEN BOROUGH  
COUNCIL MINUTES  
JANUARY 16, 2019**

**CALL TO ORDER:** President Barrasse 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. Rinaldi, Mr. Toms, Mr. Hughes, Ms. Igoe, Mr. Dougherty, Mr. Williams, Mr. Barrasse, Mayor Lawler and Solicitor Weinschenk.

**APPROVAL OF MINUTES:** President Barrasse stated he reviewed the December 20<sup>th</sup> minutes and would like to postpone the acceptance of the minutes until the February meeting noting there were a few things he wanted to review further. President Barrasse stated it was understanding that this would not be a problem and Solicitor Weinschenk stated no. President Barrasse entertained a motion to adopt Ordinance No. 1 of 2019 establishing the real estate tax millage at fifteen (15) mills for the year of 2019, and re-enacting the wage, local services, and real estate transfer tax ordinances. President Barrasse asked Solicitor Weinschenk to read the ordinance into records.

**ORDINANCE 1-2019**

**AN ORDINANCE OF THE BOROUGH OF CLARKS GREEN ESTABLISHING THE REAL ESTATE TAX MILLAGE AT FIFTEEN (15) MILLS FOR THE YEAR 2019 AND RE-ENACTING THE WAGE, LOCAL SERVICES, AND REAL ESTATE TRANSFER TAX ORDINANCES.**

**BE IT ORDAINED** by the Borough Council of the Borough of Clarks Green that the Real Estate Tax millage for the calendar year 2019 be established at fifteen (15) mills, and that the Ordinances levying a Wage Tax at one-half (.5%), a Local Services Tax at fifth-two dollars (\$52.00), and a Real Estate Transfer Tax at one percent (1%) be re-enacted for the year 2019.

Enacted this 16<sup>th</sup> day of January 2019.

BOROUGH OF CLARKS GREEN

/s/Joe Barrasse

Joe Barrasse, Council President

ATTEST: /s/ Joanne Culbertson

Joanne Culbertson, Borough Secretary/Treasurer

APPROVED:

/s/ Patty Lawler

Patty Lawler, Mayor

Mr. Dougherty motioned, seconded by Ms. Igoe. Mr. Toms, Mr. Dougherty, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse.

**VISITORS:** CSPD Chief Chris Yarns, Marnie Palmer, 280 East Grove Street, Gerard Hetman, Lackawanna County Outreach and Ben Freda, Abington Journal.

**MAYOR'S REPORT:** Mayor Lawler stated as this is a new year let us each promise to continue to serve in a consciousness and responsible way to deliver an exemplary municipal government to all the residents of fine Borough of Clarks Green. Mayor Lawler stated in March proclamations will be

prepared for Abby Peck, women's history month and to honor Marilyn Pryle from the AHSD. Mayor Lawler announced she had a check in the amount of \$1392 that will be presented to the Student Aid Fund at the AHSD from the Mayor William Thorburn Memorial Fund noting it will be presented at Reflection Night recognizing an industrial art student. CSPD Chief Chris Yarns reviewed the monthly police report and announced the police department has received funds in the amount of \$1,800 by a grant targeting aggressive driving and will start on March 18<sup>th</sup>. Chief Yarns told Council the vascar lines will need to be re-painted this year along with the crosswalk lines noting it would be best doing it in spring. Council and Chief Yarns discussed the incident at Deacons Green which someone drove their vehicle over the curb in the cul de sac knocking over signs and the mailbox while appearing to be impaired. The CSPD is still waiting for a toxicology report. Mr. Rinaldi told the Chief Yarns a resident inquired about the investigation concerning the break in at the Schroeder residence. Chief Yarns stated it is still an on-going investigation. Mr. Rinaldi motioned to have the Mayor Lawler become a member of the State's Mayor Association for this calendar year at the cost of \$60, seconded by Mr. Hughes. Mayor Lawler reported they offer a great deal of support, insight and would represent the Borough of Clarks Green at the convention and thanked Council for their support. Mr. Dougherty, Mr. Rinaldi, Ms. Igoe, Mr. Toms, Mr. Hughes, Mr. Williams and Mr. Barrasse voted in favor.

**PUBLIC COMMENT:** No public comments.

**LACKAWANNA COUNTY COMMUNITY RELATIONS:** Mr. Hetman reported on the various events within Lackawanna County such as the Rail Car Incident Response for Crude, Ethanol and Flammable Liquids being held at Lackawanna County Emergency Center, the Northeast Vegetable Meeting at the Newton Ransom Fire Co., Prescription Drug Take-Back Program, visit [www.ddap.pa.gov](http://www.ddap.pa.gov), the Strength Training Classes by Penn State Extension offered Mon. and Wed. mornings at the West Side Active Older Adult Community Center and finally, Healthy MOMS Program which is a State Targeted Response grant program to lead development of a community-wide pregnancy-recovery program for mothers-to-be in Lackawanna County struggling with opioid use disorder.

**PUBLIC WORKS:** Mr. Williams reported he had received a call from resident Jan McCabe expressing her thanks to the DPW department who responded when her pipes burst stating she placed a call with 911 which DPW crew heard and assisted her with this incident and offered thanks to the office personnel as well. Mr. Williams motioned to authorize the equipment rental from Admar Supply Co. for the catch basin cleanings in the Borough at the cost of \$1,655, seconded by Mr. Hughes. Mr. Williams, Mr. Toms, Mr. Dougherty, Mr. Hughes, Mr. Rinaldi, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Williams motioned to authorize the rental of equipment from Powell's Equipment and Rental for street sweeping brushes at the cost of \$771.08, seconded by Mr. Hughes. Mr. Toms, Mr. Dougherty, Ms. Igoe, Mr. Rinaldi, Mr. Williams, Mr. Hughes and Mr. Barrasse voted in favor. Mr. Williams reported to Council he has been in contact with Tom Worobey in regard to filling in when needed for snow plowing and stated he agreed. Mr. Toms had a question for Mr. Barrasse regarding the discussing that took place at the last meeting concerning dividing the duties of the DPW Chair. Mr. Barrasse stated he has been working on it and noted he had talked to one (1) or two (2) council persons but wants to reach out to everyone so it has not been finalized.

**PERSONNEL:** Mr. Williams stated an executive session will need to take place to discuss the open position. President Barrasse announced Council will move into an executive session to discuss personnel. Executive Session started 7:35 PM and reconvened at 8:04 PM. Mr. Williams motioned to Council to hire Maureen Gallagher as the Assistant Secretary/Treasurer for Clarks Green Borough at the rate of \$15 per hour, seconded by Mr. Toms. Mr. Williams, Ms. Igoe, Mr. Dougherty, Mr. Rinaldi, Mr. Toms, Mr. Hughes and Mr. Barrasse voted in favor. Solicitor Weinschenk stated the motion should be re-stated with an effective date. Mr. Williams agreed to amend his motion by adding Ms. Gallagher will be the Borough's Assistant Secretary/Treasurer starting January 22<sup>nd</sup> at the effective

rate of \$15 per hour at ten (10) hours per week. President Barrasse determined no roll call vote was not necessary.

**SOLICITOR'S REPORT:** Solicitor Weinschenk updated Council on the Clarks Summit Senior Citizen Center in response to Mr. Hughes request. Solicitor Weinschenk explained the Borough received an email from Bill Risse stating Clarks Summit no longer wants to operate the center and wanted to know on behalf of AAJRB if any other municipality would be interested in operating the center if not it may re-invert to AAJRB. Solicitor Weinschenk stated he had contacted Virginia Kehoe from Clarks Summit for the copy of the lease noting he had not received a response. Solicitor Weinschenk proceeded to tell Council he had contacted Bill Risse concerning the lease and Mr. Risse stated they have not been able to locate the lease. Solicitor Weinschenk stated he believes the center was built from Community Block Grant Funds that were allocated to Clarks Summit and his assumption was Clarks Summit Borough entered into a ground lease for that location from AAJRB. The deed from the five (5) municipalities received from the state encompasses both sides of Winola Road stating Hillside Park, Community Gardens and the location of the Senior Citizen Center. Solicitor Weinschenk told Council the unknown question is what happens when the lease terminates since normally the building becomes property of the landowner and as a result the AAJRB would be the owner. Solicitor Weinschenk stated until he receives more information, the Senior Center's status is unknown. Solicitor Weinschenk told Council Mr. Risse indicated the Senior Citizen is at a breakeven position noting income is received from Telespond and the fees and programs at the center. Solicitor Weinschenk stated Clarks Summit is concerned with the future maintenance and repairs for the center and doesn't want to be responsible for it.

**TREASURER'S REPORT AND BILL APPROVAL:** Mr. Hughes reported on the checking account balances with comparisons to last month and last year. The Treasurer's report was presented by Mr. Hughes and filed for audit. Current fund balances are as follows:

Capital Fund Money Market	\$	139,417.42
General Fund Checking		282,818.75
General Fund Money Market		35,275.80
Sewer Fund Checking		284,418.06
Sewer Fund Money Market		34,989.93
Sewer – Wayne Bank CD		51,091.73
Sewer – FNCB CD		50,553.47
State Funds Checking		61,810.87
Total Checking/Savings	\$	940,376.03

Mr. Hughes then presented the Budget vs. Actual report comparing balances on the report to amounts from last year. Mr. Hughes asked Mr. Dougherty to report on his audit from reviewing the Borough's CDs. Mr. Dougherty reported that the two (2) CDs exist at the stated dollar amounts noting Mr. Hughes did a great job at getting us better rates from the previous rates. With no questions from Council Mr. Hughes motioned, seconded by Mr. Dougherty to accept the Treasurer's report and ratify the payment of the bills. Mr. Toms, Ms. Igoe, Mr. Hughes, Mr. Dougherty, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Hughes told Council the total expenses were \$36,000 lower than a year ago and net income was \$161,391.43 versus last year's net income was \$143,884.51. Mr. Hughes told Council we finished the year with a good healthy fund balance. Mr. Hughes briefly reviewed the sewer delinquencies stating we collected \$4,775 and collected twelve (12) of the twenty-two (22) accounts that were newly delinquent. Mr. Hughes stated the delinquency letters will be sent out by the end of January giving thirty (30) days to make a payment before a second letter is sent. Mr. Hughes made a motion for the specific dollar amount we will be transferring to the Student Fund at the AHSD from the Mayor William Thorburn Memorial account noting in December the amount was for \$1,437.14 and since then we had an expense stating the actual amount is \$1,392.66, seconded by Ms.

Igoe. Mr. Dougherty, Ms. Igoe, Mr. Toms, Mr. Hughes, Mr. Rinaldi, Mr. Williams and Mr. Barrasse voted in favor. Mr. Hughes stated the Clarks Summit Fire Company sent a letter asking for a donation but is not recommending to Council to donate since we all individually donate to the fire company and encouraged everyone to support the fire company. Mr. Hughes told Council he had reviewed the sewer delinquency complaint from resident, Scott Spatt and noted the Borough's billing appears accurate and he will be in contact with Mr. Spatt to review the delinquency and will keep Council updated.

**BUILDINGS & GROUNDS:** Mr. Toms reported the holiday tree is down and is being stored in a wooden box with wheels constructed by the DPW crew. Mr. Toms told Council the new tools had been purchased as we discussed at the last Council meeting. Solicitor Weinschenk told Mr. Toms if the old tools are usable the Borough will need to sell them or keep them and what is not usable, can be scrapped. Mr. Rinaldi asked Mr. Toms what exactly was bought and the cost. Mr. Toms stated he did not have the list but he knew a saber saw, a saw that could cut through metal, drills and a compressor pump and a battery charger with additional batteries. Mr. Rinaldi asked if office equipment was also purchased. Mr. Toms stated the DPW office has been remodeled to some extent and the electrical work will need to be done admitting a color printer had been purchased. Mr. Rinaldi asked the about the total cost once again. Mr. Toms stated he would have to get the list.

**REFUSE & RECYCLING:** Ms. Igoe reported the Christmas tree pickup date was changed to January 14<sup>th</sup> and January 21<sup>st</sup>. Ms. Igoe stated she had called County Waste concerning the \$1 charge that was being placed on the County Waste bills and reported it is to be ignored since the County Waste's corporate office in Virginia made an error. Mayor Lawler had to leave the Council meeting at 8:35 P.M.

**HEALTH & SAFETY:** Mr. Rinaldi thanked Solicitor Weinschenk for his help in preparing the bid package for the equipment for the signal light at the corner of Grove St. and Abington Road and the advertisement has been placed with a deadline date of February 19<sup>th</sup> at 3 P.M. and will be opened immediately after. Mr. Rinaldi updated Council on the Emergency Management Plan stating he has been in contact with James Waters who was recommended by the Emergency Management Community and the very knowledgeable in emergency services. Mr. Rinaldi stated after contacting the safety committee, he will be scheduling a meeting with him and will report back to Council.

**ARWA:** President Barrasse announced to Council that our fellow council member Mr. Rinaldi has been appointed to President of ARWA and all of Council offered their congratulations. Mr. Rinaldi stated he was very honored and thankful noting he was thankful the Board appointed him describing the time from his temporary appointment as Clarks Green's Representative to Authority Chair as a cinderella story. Mr. Rinaldi reported to Council on the re-organization meeting and listed the officers elected Vice-chairperson Gloria Lance from South Abington Twp., Treasurer Paul Murphy from Clarks Summit, Secretary Robert Kelly from South Abington Twp., assistant secretary Wayne Miller from Clarks Summit, recording secretary, Amy Waters, engineer Nick Sahd from Gannet Fleming Inc. and solicitor Atty. Don Jensen. Mr. Rinaldi told Council the fourth of the DEP required WET tests results were satisfactory to the DEP. ARWA hopes DEP will return to allowing testing annually which reduces the cost since the testing is \$2,500. Mr. Rinaldi announced ARWA was able to get electric billing information to shop for rates noting the Authority chose Champion Energy at a rate of 0.049 cent per kilowatt hours for three (3) years.

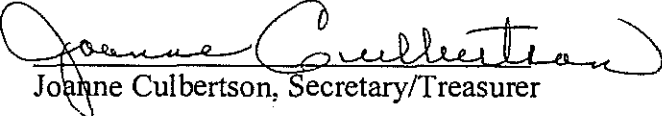
**GRANTS:** Mr. Dougherty did not have anything to report. Mr. Rinaldi reminded Mr. Dougherty on the recent email from PennDOT regarding the Green Light-Go project status report that will need to be submitted to PennDOT quarterly.

**OLD BUSINESS:** Mr. Barrasse reminded all of Council January 29<sup>th</sup>, 30<sup>th</sup> and 31<sup>st</sup> nine (9) engineering firms have been scheduled to do presentations based on the Borough's RFPs starting at 6:30 PM in the Borough's chambers noting the public is invited and encouraged to attend which has been advertised. Mr. Rinaldi told Council he had advised the presenters that each firm will have a half hour presentation with a ten (10) minutes introduction followed by discussion of maintenance of Borough's streets and roads, sanitary sewer rehabilitation mandated by DEP and stormwater management mandated by US Environmental Protection Agency. Mr. Rinaldi reported based on the schedule there will be ten (10) minutes during which Council can ask questions and noted one (1) specific question would be "what rate will be applicable to the Borough" since some of the firms listed many rates in their responses. Mr. Rinaldi stated Council should have at least two (2) standard questions that can be asked to each firm making it consistent with each firm and comparable. Mr. Williams told Council he forgot to discuss a personnel matter and stated there were two (2) employees that have vacation time that was not used in 2018 one (1) person was for one (1) hour and the other for eight (8) hours noting the personnel committee discussed this and suggests that we allow the staff to use the hours but need to be taken by the end of the first quarter of 2019. Solicitor Weinschenk stated the employee handbook has a provision that policies and procedures outline in this handbook will be applied at the discretion of Clarks Green Borough and Clarks Green Borough reserves the right to deviate from the policies and procedures of this handbook or to withdraw or change them at any time. The Solicitor advised if you are going to make an exception this year and not change it permanently Council still has the right to do it. Mr. Williams motioned to allow two (2) employees with the unused vacation time in 2018 to carry it over in 2019 but it must be used by March 31<sup>st</sup> by the first quarter, seconded by Mr. Dougherty. Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Toms, Mr. Dougherty and Mr. Barrasse voted in favor.

**NEW BUSINESS:** Mr. Rinaldi asked Mr. Barrasse about his decision to delay the vote on the December 20, 2018 minutes explaining that minutes are not a negotiation with Council and the Borough's Secretary. Mr. Rinaldi stated the Borough's Secretary prepared minutes are the minutes from the time the draft was prepared. Solicitor Weinschenk told Council they are subject to correction by Council and they will be on the record. Solicitor Weinschenk stated Council will then have a motion to amend the minutes and Council will then vote on it stating you have the original minutes and then will have corrected minutes if approved by Council at the next meeting.

**EXECUTIVE SESSION:** Mr. Barrasse told Council we will enter an executive session for a Personnel matter and then the meeting will re-convene to adjourn allowing Secretary Culbertson to leave. Executive session started at 9:03 PM and ended 9:46 PM.

**MOTION FOR ADJOURNMENT:** Mr. Barrasse noted the meeting has re-convened and entertained a motion to adjourn the Council meeting Ms. Igoe motioned, seconded by Mr. Dougherty to adjourn the meeting at 9:47 P.M. All in attendance voted in favor.

  
Joanne Culbertson, Secretary/Treasurer

**CLARKS GREEN BOROUGH**  
**COUNCIL MEETING**

**Agenda**

**January 16, 2019**

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE-** President Joe Barrasse
2. **ROLL CALL-** Secretary Culbertson
3. **MOTION TO ACCEPT MINUTES;**  
Ordinance #1 of 2019, Establishing Real Estate Tax Millage, and re-enacting the Wage, Local Service, and Real Estate Transfer tax
4. **MAYOR'S AND POLICE REPORT, FIRE & AMBULANCE**  
Mayor Lawler, Clarks Summit Police Chief Yarns  
Clarks Summit Fire Co. President Mike Lukus, Chief Jay Miller, EMS Corey Colarossi  
State's Mayor's Association Membership
5. **PUBLIC COMMENT**  
Visitors should approach the podium and state their name and address. Comments limited to 5 min
6. **PUBLIC WORKS COMMITTEE – Mr. Williams**
7. **PERSONNEL COMMITTEE– Mr. Williams**  
Assistant Secretary position.
8. **TREASURER'S REPORT AND BILL APPROVAL – Mr. Hughes**
9. **SOLICITOR'S REPORT – Mr. Weinschenk**
10. **FINANCE COMMITTEE – Mr. Hughes**  
Payments, & Sewer Account Delinquencies
11. **BUILDINGS & GROUNDS COMMITTEE – Mr. Toms**
12. **REFUSE & RECYCLING COMMITTEE– Ms. Igoe**
13. **HEALTH & SAFETY COMMITTEE-- Mr. Rinaldi**  
Green Light Go Update
14. **ABINGTON REGIONAL WASTEWATER AUTHORITY REPORT – Mr. Rinaldi**  
Congrats to President Rinaldi on his appointment
15. **GRANT COMMITTEE- Mr. Dougherty**
16. **OLD BUSINESS**  
Reminder Meetings scheduled for engineering Proposals Jan 29<sup>th</sup>, 30<sup>th</sup>, 31<sup>st</sup> starting at 6:30pm
17. **NEW BUSINESS**  
Executive Session for Harassment Complaint, and Hostile Work environment
18. **ADJOURNMENT**

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