

**CLARKS GREEN BOROUGH  
COUNCIL MINUTES  
JULY 17, 2019**

**CALL TO ORDER:** President Barrasse called the meeting of the Clarks Green Council to order at 7:02 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 via phone, Mr. Williams, and Mr. Barrasse.

**EXCUSED:** Mayor Lawler and Solicitor Weinschenk.

**APPROVAL OF MINUTES:** President Barrasse entertained the motion to accept the minutes of the June 26<sup>th</sup> Council meeting. Mr. Hughes motioned, seconded by Ms. Igoe. Mr. Rinaldi stated he had read the minutes which were provided today at approximately 11 A.M. this morning noting there are several factual mistakes. Mr. Rinaldi told Council the New Business section completely misstates what happened during that part at the council meeting. Mr. Rinaldi stated page 4, paragraph 6, last sentence, Solicitor Weinschenk stated that the files needed to be prepared and are being held up due to an outstanding (BCM) invoice. Mr. Rinaldi told Council the Solicitor did not say anything about the invoice but stated they (BCM) were entitled to a fee to prepare Clarks Green's files. Mr. Rinaldi told Council in the next page the Treasurer's Report, 4<sup>th</sup> paragraph, Mr. Hughes discussed that the check on the bills was for the final paycheck (former zoning officer) up to May 30, 2019 and the remaining three months' severance was also issued as one payment. Mr. Rinaldi told Council that he noticed in the unpaid bills today there is check for the former zoning officer and questioned why it took to July to pay her since she was dismissed in May. Mr. Hughes told Mr. Rinaldi that evening of the Council meeting the check was finally signed this check was three months' severance check. Secretary Culbertson verified the severance check was number 19190 dated 6/26/19 for the amount of \$751.40. Mr. Rinaldi told Council on page 6, Solicitor's Report, second paragraph, Solicitor Weinschenk reported the release for the 304 S. Abington Rd. shed project was not prepared. Mr. Rinaldi told Council it his understanding it was a "garage". Also, Mr. Rinaldi pointed out that on the recording he stated the Tar & Chipping of Abington Road by Penn DOT was the holdup on the painting of the crosswalks. Mr. Rinaldi stated he told Council at the meeting that DPW Foreman Dave Kohinsky was told by PennDot to wait a few weeks before painting the crosswalks. Mr. Rinaldi told Council the next paragraph, 2<sup>nd</sup> sentence, Ms. Cremer spoke to neighbors and they have no issue with the project, and she would be willing to go the variance route. It was discussed this is not the best option. Mr. Rinaldi asked, "Who discussed it?" noting it was his recollection asking if we are going to accept her offer saving the borough \$8,750 if the variance was allowed. Mr. Rinaldi explained Solicitor Weinschenk told Council the Borough can object and, in his opinion, it is a matter of whether or not if you (the Borough) want to enforce the ordinances. Mr. Rinaldi told Council in the Building & Grounds Section, 2<sup>nd</sup> paragraph, Solicitor Weinschenk clarified the requirements for bidding and this project was below the legal amount requiring additional bids. Mr. Rinaldi stated this was not correct since it did not require bids to begin with it since in excess of \$8,000 would require three quotes. Mr. Rinaldi told Council page 7, 2<sup>nd</sup> paragraph states, the only thing they are waiting on for the grant are the cameras, but they will be in next week. After payment is made the borough can take ownership of the lights. Mr. Rinaldi stated this was not accurate and this was not what he reported. Mr. Rinaldi repeated what he had reported, stating the cameras were backordered and after PennDot inspects the project and approval is given the Borough then can take ownership. Mr. Rinaldi further explained that the motion to authorize the \$30,000 payment to North East Signal, contingent upon PennDot approving the plans was wrong since they had already approved the plans. The payment was contingent upon Penn DOT's inspection. Mr. Rinaldi told Council in the Refuse & Recycling section, last paragraph, it was suggested that Ms. Igoe cross the

Borough Sewer payment list with the County Waste list. Mr. Rinaldi stated it should have stated cross-reference. Mr. Rinaldi pointed out in the ARWA Report section, 2<sup>nd</sup> paragraph, ARWA sustained some damage to the metal roof and that a claim was filed. Mr. Rinaldi stated he reported, "ARWA sustained hail damage to the metal roof but did not state a claim had been filed." Mr. Rinaldi reported to Council that hail damage was an exclusion in the coverage of metal roofs. Mr. Rinaldi told Council the New Business section, there is no indication in the minutes stating the Solicitor Weinschenk left the meeting without answering my question concerning the representations that he made at the May 24<sup>th</sup> Special meeting concerning an alleged Facebook posting that Mr. Rinaldi had supposedly made stating the Borough's Special meeting was illegal. Mr. Barrasse told Mr. Rinaldi there is sentence stating Mr. Weinschenk and Mr. Hughes left the meeting at 9:29 P.M. Mr. Rinaldi stated they did not leave at the same time and Mr. Hughes had left the meeting later. Mr. Rinaldi also pointed out an inaccuracy when Mr. Rinaldi asked President Barrasse where the false information about him came from and President Barrasse didn't respond. Mr. Rinaldi stated it was actually Ms. Igoe who asked that question and on the recording of the meeting Mr. Barrasse stated, "He saw something." Mr. Rinaldi told Council these are the inaccuracies I see in the minutes and as a result I cannot vote to approve them. Mr. Williams, Mr. Toms and Mr. Rinaldi voted no. Ms. Igoe, Mr. Hughes, Mr. Dougherty and Mr. Barrasse voted yes. Mr. Barrasse wanted it noted in the minutes thanking Amy Waters for taking and preparing the meeting minutes during Joanne Culbertson's absence. Mr. Barrasse introduced and entertained a motion to accept Resolution No. 2 of 2019, which approves the sale of the borough's 1981 International dump truck and Council estimates the fair market value of the truck to be in excess of \$2,000 authorizing the placement of the advertisement in The Scranton Times for two (2) days soliciting sealed bids, required by Borough code. Mr. Hughes motioned, seconded by Mr. Dougherty. Mr. Toms, Mr. Dougherty, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

**RESOLUTION NO. 2 OF 2019  
BOROUGH OF CLARKS GREEN  
LACKAWANNA COUNTY, PENNSYLVANIA**

**RESOLUTION OF CLARKS GREEN BOROUGH COUNCIL  
APPROVING THE SALE OF BOROUGH DUMP TRUCK**

Whereas, the Clarks Green Borough Council deems it advisable to sell a 1981 International dump truck; and

Whereas, the Pennsylvania Borough Code requires that the proposed sale be approved and advertised by Borough Council.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of Clarks Green Borough as follows:

Council hereby approves the sale of a 1981 International dump truck and, since Council estimates the fair market value of the truck to be in excess of \$2,000, authorizes the placement of an advertisement of the sale soliciting sealed bids, as required by the Borough Code. The advertisement to run in a newspaper of general circulation not less than 10 days prior to the date set for opening of bids. The sale shall be for the full cash purchase price to be paid within 15 days following acceptance by Borough Council of the highest bid.

Council reserves the right to reject any and all bids received if Council believes the bids to be less than the fair market value of the truck.

**THIS RESOLUTION** is duly adopted by the affirmative vote of the Clarks Green Borough Council this 17<sup>th</sup> day of July 2019.

**ATTEST:**

/s/ Joanne Culbertson  
Joanne Culbertson, Secretary

**BOROUGH OF CLARKS GREEN**

By: /s/ Joseph Barrasse  
Joseph Barrasse, President,  
Borough Council

**PUBLIC WORKS:** Mr. Dougherty via phone told Council while the milling operation was being performed on Yale Boulevard a hole opened up over the existing culvert. The Borough engineers inspected the hole and have given us two (2) options. First option and my suggestion, would be replacing the culvert and put in new pipes so it can be paved properly. Mr. Dougherty asked for comments and their opinions regarding these options. Mr. Barrasse stated he thinks it's a good suggestion on behalf of the engineers and talked about this being an emergency situation making this project to be completed sooner and the danger will go away, probably six (6) to eight (8) weeks. A discussion took place regarding how Council can proceed without delaying this any further. Mr. Rinaldi suggested Council determine a maximum amount to be expended for the cost of the project and then authorizing the Borough engineers to tell Pennsy to go forward with the repair as long as it does not exceed the amount authorized. Council decided the cost of the project should not exceed \$15,000. Mr. Rinaldi motioned to declare this situation as an emergency, seconded by Mr. Dougherty. Mr. Dougherty, Mr. Rinaldi, Ms. Igoe, Mr. Toms, Mr. Hughes, Mr. Williams and Mr. Barrasse voted in favor. Mr. Hughes motioned for Option #1 as proposed by Mr. Naegele not to exceed \$15,000, seconded by Mr. Rinaldi. Mr. Williams, Mr. Hughes, Mr. Toms, Ms. Igoe, Mr. Rinaldi, Mr. Dougherty and Mr. Barrasse voted in favor. Mr. Hughes motioned to authorize Clarks Green Borough Solicitor to request the scope of work and plans re-paving Crest, Gordon and Short Hill Drives from PA American Water Company (PAWC). The Borough Solicitor is, further, authorized to notify PAWC that after the review of the scope of work and plans by the Borough Engineer and Zoning Officer, PAWC's request for waiver of permit fees will be considered by Borough Council, seconded by Mr. Dougherty. Ms. Igoe stated she does not understand why we are waiving our fees. Mr. Barrasse explained a lot of other municipalities do this since they are paving the streets. Mr. Hughes stated we are paving two (2) streets at \$94,000 noting the permit fee of \$9,000. Mr. Rinaldi, Mr. Hughes, Mr. Williams, Mr. Toms, Mr. Dougherty, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Dougherty left the meeting via phone at 7:35 p.m. Mr. Williams reported Colwell Naegele has received the files from our former engineers, BCM and is working to get the necessary paperwork to our Solicitor in preparation of the necessary easements needed for the Crest project. Mr. Rinaldi stated the original letter the Borough had sent to BCM asked for six (6) things and only the company only provided five (5) of those items and the one that is missing and specifically requested is based on the representation that BCM had stated they had easements for the property behind OLP in their presentation to continue as Borough Engineer. Mr. Williams told Council Colwell Naegele will be giving us the latest Stormwater report. Mr. Williams updated Council on the DPW crew noting they have been working with Rossi Rooter to clean storm pipes and drains on Fairview, Abington roads and Clark Street. Mr. Williams told Council Mr. Dougherty still has not heard from PennDot concerning the storm water issues and the LSA agreement has been signed and in the process of looking in replacing the two (2) Borough trucks. Mr. Williams informed Council Mr. Dougherty had applied for the \$500 Arts & Culture grant and it will be used for the Borough's tree lighting ceremony.

**VISITORS:** CSPD Officer Kevin Yetkowskas, Ben Freda, Abington Journal, Gerard Hetman, Lackawanna County Outreach, George Parker, Clarks Green Zoning Officer and Mary Mone.

**MAYOR'S REPORT:** Mr. Barrasse welcomed CSPD Officer Yetkowskas. Officer Yetkowskas updated Council on the aggressive driver grant for Clarks Summit and Clarks Green Borough and informed Council that he and other police officer are in the process of re-painting the lines on North Abington Road due to the new tarred and chipped road noting they are using the ENRAD system to monitor speeding. Officer Yetkowskas told Council they are getting some good results as far as time

frames when people are speeding. Officer Yetkowskas announced the Clarks Summit Fire Co. had purchased a 2001 105 ft. ladder truck noting it is one of the biggest in Lackawanna County.

**PUBLIC COMMENT:** George Parker, Clarks Green Zoning officer, told Council his monthly report has been distributed for their review and if there are any questions please contact him. Mr. Rinaldi asked Mr. Parker if he reviewed his previous question from last month's meeting concerning if the Borough was correct in requiring a permit if the underlayment of the roof had to be replaced. Mr. Parker stated "yes" a permit is needed. Mr. Barrasse asked about the Bucknell permit had been issued and Mr. Parker stated yes along with the UCC fees.

**LACKAWANNA COUNTY COMMUNITY RELATIONS:** Mr. Hetman reported on the various events within Lackawanna County such as the Lackawanna Ready Business Workshop, September 5<sup>th</sup> at the Greater Scranton Chamber of Commerce, workshop will go over essential components of an emergency preparedness plan. Mr. Hetman informed Council that another Senior Health Fair will be held on September 20<sup>th</sup> at the Club level at PNC Field, Moosic and it will be providing free flu shots and health screenings.

**SOLICITOR'S REPORT:** No report.

**PERSONNEL:** Mr. Williams told Council he had nothing to report.

**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:

General Fund Checking	\$	388,504.80
General Fund Money Market		35,279.30
Capital Fund Money Market	\$	139,722.97
Sewer Fund Checking		359,946.65
Sewer Fund Money Market		34,993.40
Sewer – FNCB CD		50,620.91
Sewer – Wayne Bank CD		51,091.73
State Funds Checking		<u>112,663.15</u>
Total Checking/Savings	\$	1,172,822.91

Mr. Hughes then presented the Budget vs. Actual report comparing balances on the report to amounts from last year noting revenue this year is higher by \$5,000 and total expenses were \$29,000 less than a year ago resulting in \$34,000 better than a year ago. With no questions from Council Mr. Hughes motioned, seconded by Mr. Williams to accept the Treasurer's report and ratify the payment of the bills. Mr. Toms, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Hughes informed Council that we had billed South Abington Township in the amount of \$433.20 for the twelve (12) properties that use Clarks Green Borough's sewer lines. Mr. Hughes told Council they have each received a draft letter to Leah Rosenkrans from Murphy, Dougherty and Company and would like for them to review and welcomed if any changes need to be made to either inform him or Joanne Culbertson. Mr. Hughes stated the purpose of doing this we acknowledge we had the presentation of the audit and that we are responsive to any of the findings and recommendations that they may have noting it is a good practice to do this. Mr. Rinaldi stated he had reviewed the letter and it is fine with him and feels it is an outstanding thing we have been doing these years and thanked Mr. Hughes for continuing. Mr. Hughes told Council \$4,819 has been collected in first quarter of 2019 sewer delinquencies. Mr. Hughes stated certified letters will be sent to properties that had been marked on the second quarter of 2019 report along with non-certified letters. Mr. Hughes reported on

account 0654 stating the property is in the process of being sold and had communications with the owner regarding his delinquencies.

**BUILDINGS & GROUNDS:** Mr. Toms reported the painter for the Borough building will start painting in about two (2) weeks noting the delay was due to rain.


**REFUSE & RECYCLING:** Ms. Igoe reported to Council that County Waste has agreed to collect up to five paper (5) leaf bags of yard refuse per week. Mr. Rinaldi told Council the contract states unlimited refuse so they should take as many bags that is left curbside. Ms. Igoe stated she will be doing recycling flyer educating our residents on what is recyclable. Ms. Igoe stated she is still working on cross-referencing the County Waste Refuse/Recycling billing list with sewer account list but several problems have become evident using the information contained in the two lists which would make the cross referencing not totally accurate such as multiple properties with one owner.

**HEALTH & SAFETY:** Mr. Rinaldi updated and briefly reviewed to Council the five (5) minor deficiencies that were found during the inspection of the upgraded traffic signal equipment on July 1<sup>st</sup> from PennDot. Mr. Rinaldi told Council he wanted them to know that the intersection's thirty (30) day test was satisfactorily completed and that the one hundred eighty (180) equipment test guarantee period begins. Mr. Rinaldi stated the deficiencies are being addressed and reminded Council the motion to pay North East Signal is based on passing the PennDot inspection. Mr. Rinaldi updated Council on the Emergency Operation Plan stating he had five (5) copies made of the preliminary draft created by Mr. Waters noting copies were distributed to Mayor Lawler, Fire Chief Miller, CSPD Chief Yarns and once everyone reviews and makes their comments the safety committee will get together to discuss.

**ARWA:** Mr. Rinaldi reported that ARWA has been hosting a process control class presented by EPA and the Eastern Pennsylvania Water Pollution Control Operations Association. Mr. Rinaldi told Council this is a yearly event where operators and students from local colleges tour the plant, see demonstrations, attend lectures and participates on some hands-on-lab work. Mr. Rinaldi stated it is great for the community and ARWA. Plus, it shows off the Authority's upgraded plant along with the new organic treatment process method.

**OLD BUSINESS:** Mr. Williams announced Marnie Palmer can no longer fulfill her obligation as one of the two Borough's SAPA representatives due to her other commitments and activities. Mr. Williams nominated Rick Williams for the second SAPA representative stating he was involved with SAPA from the beginning and is very knowledgeable about it. Mr. Williams motioned to appoint Rick Williams as Clarks Green Borough's second SAPA representative. Mr. Rinaldi suggested Mr. Williams amend his motion to accept Marnie Palmer's resignation with the appointment. Mr. Williams stated yes, since Ms. Palmer expressed it verbally. Mr. Williams motioned to accept the resignation of Marnie Palmer from being Clarks Green Borough's SAPA representative and the appointment of Rick Williams as the second SAPA representative from Clarks Green Borough. Mr. Hughes seconded the motion. Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Toms and Mr. Barrasse voted in favor.

**MOTION FOR ADJOURNMENT:** Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Rinaldi motioned, seconded by Mr. Hughes to adjourn the meeting at 8:45 P.M. All in attendance voted in favor.

  
Joanne Culbertson, Secretary/Treasurer

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

**Agenda**

**July 17, 2019**

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE-** President Joe Barrasse
  2. **ROLL CALL** – Secretary Joanne Culbertson
  3. **MOTION TO ACCEPT MINUTES** June 26<sup>th</sup>:  
Motion for **RESOLUTION** No. \_ 2019, Sale of Dump Truck
  4. **PUBLIC WORKS COMMITTEE** – Mr. Dougherty (by Phone)  
Fairview Road/Vassar/Clark St. Storm Water Progress;  
Waiver of Permit Fee's for PAW On Short Hill, Gordon & Crest \$9,000
  5. **MAYOR'S AND POLICE REPORT, FIRE & AMBULANCE**  
Mayor Lawler will be absent. Clarks Summit Police Chief Yarns  
Clarks Summit Fire Co. President Mike Lukus, Chief Jay Miller, EMS Corey Colarossi
  6. **PUBLIC COMMENT**  
Visitors should approach the podium and state their name and address. Comments limited to 5 min  
Gerard Hetman, Laekawanna County
  7. **PERSONNEL COMMITTEE**– Mr. Williams
  8. **TREASURER'S REPORT AND BILL APPROVAL** – Mr. Hughes
  9. **SOLICITOR'S REPORT** – Mr. Weinschenk will be away
  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
  14. **ABINGTON REGIONAL WASTEWATER AUTHORITY REPORT** – Mr. Rinaldi
  15. **OLD BUSINESS**  
SAPA Appointment
  16. **NEW BUSINESS**
  
  17. **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.