

**CLARKS GREEN BOROUGH  
COUNCIL MINUTES  
DECEMBER 18, 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. Hughes, Ms. Igoe, Mr. Dougherty, Mr. Williams, Mr. Barrasse, Mayor Lawler and Solicitor Weinschenk.

**ABSENT:** Mr. Toms.

**APPROVAL OF MINUTES:** President Barrasse entertained the motion to accept the minutes of the October 31<sup>st</sup> Council meeting. Mr. Hughes motioned, seconded by Ms. Igoe. Mr. Williams, Ms. Igoe, Mr. Hughes, Mr. Dougherty, Mr. Rinaldi and Mr. Barrasse voted in favor. President Barrasse entertained the motion to accept the minutes of the November 6<sup>th</sup> Special meeting. Mr. Hughes motioned, seconded by Ms. Igoe. Mr. Rinaldi, Mr. Dougherty, Mr. Hughes, Ms. Igoe, Mr. Williams and Mr. Barrasse voted in favor.

**VISITORS:** Ben Freda, Abington Journal, Dr. Terry Cochran, 103 Squirrel Run, Christina Wolfe, 314 Crest Drive, Tom Evans, 403 Gordon Drive, Peggy Bormann, 312 Crest Drive, CSPD Chief Yarns, James Waters, EMA, Kayleigh Cornell, Community Relations Coordinator, Lackawanna County.

**PUBLIC COMMENT:** Christina Wolfe, 314 Crest drive addressed Council about the water company project on Crest, Gordon and Short Hill Drive stating she held a meeting at her house December 16<sup>th</sup> to express concerns. Mrs. Wolfe stated this project has been a constant source of stress and frustration in our neighborhood. It has left our roads full of pot holes, mounds of dirt and pavement and large equipment left on the road. Large rock debris, active construction, torn-up pavement, and speeding dump trucks have made my small, once quiet street unsuitable for my children to play outside in the front yard. Mrs. Wolfe told Council, Rossi Rooter was contracted by T.S.E., Inc. to camera her sewer lateral break to her property causing a sewer backup into her basement. She reported she hasn't received resolution or compensation for these damages. Mrs. Wolfe told Council the concerns of the neighborhood consists of the following issues: blocking of the streets, loss of water as well as contamination of the water for several days, zero communication from the water company and T.S.E and the Borough's DPW, large equipment being left on the sides of the roads or on lawns, scarred yards and litter. Mrs. Wolfe stated she and her fellow neighbors are here tonight asking Council for advocacy and representation. Mrs. Wolfe explained we are looking for open communication from Council, a representative available to us for physical damages to our properties and an end to safety issues on our streets. Tom Evans, 403 Gordon Drive, told Council he supports everything Mrs. Wolfe stated and complained about the trucks digging into his neighborhood without warning. Mr. Evans stated the most frustrating part is there's just zero information noting there has been no information in the meeting minutes for months after a majority of Council waived the permit fee. Peggy Bormann, 312 Crest Drive, reported to Council T.S.E. Inc. July 31<sup>st</sup> broke her sewer line and her insurance company stepped in when T.S.E. sent her a letter stating that they were not responsible. Kayleigh Cornell, Community Relations Coordinator, Lackawanna County, introduced herself to Council stating she was Gerard Hetman's replacement and looks forward to the opportunity of assisting the Borough of Clarks Green and provided literature on the upcoming Lackawanna County events.

Mr. Dougherty, DPW chair replied to the residents’ sewer and neighborhood concerns by stating he has been trying to setup a meeting with the water company. Mayor Lawler stated she believes it is definitely a safety issue. Mr. Barrasse stated he had never received a schedule from the water company but Council did give them a concession to waive the fees. Mr. Barrasse explained once the project has been completed they are going to pave the streets curb to curb which would save the Borough a tremendous amount of money. Mr. Rinaldi stated the Borough is also spending an enormous amount of money to inspect its sewer line since the Borough’s sewer line might be damaged. He explained the Borough is in the process of having it inspected and cameraed because of the problems T.S.E Inc. has created with the residents’ laterals. Mr. Rinaldi stated it is a public utility project not a Borough project.

**MAYOR’S REPORT:** Mayor Lawler praised how beautiful the building looks for Christmas stating she is getting a lot of complements noting the bricks have been painted along with the white trim and some masonry work had been completed. Mayor Lawler reported the green awnings for the side entrances had been ordered with Reeves Awnings in Jermyn. Mayor Lawler told Council SAPA had a meeting at the Borough November 26<sup>th</sup> and it was attended by the Planning Commission members along with Mr. Hughes and Mr. Rinaldi noting that the Councilmen’s input was very insightful. Mayor Lawler reported the Shade Tree Commission will be installing tree guards and weather permitting mulch the newly planted trees. Mayor Lawler explained some of the trees that were planted last year did not make it because they were attacked by deer. Mayor Lawler welcomed CSPD Chief Yarns. Chief Yarns briefly reviewed the monthly police report stating it was a fairly quiet month. Mr. Rinaldi expressed to Chief Yarns how it was a pleasure working with him and his department in my position as Health/Safety chair. Mr. Rinaldi addressed the representatives from the Clarks Summit Fire Company praising them for the quick response time when the Borough building had the carbon monoxide issue expressed how grateful he is on how they protect our citizens and homes. Sean MacPherson, Clarks Summit Fire Company, addressed Council stating he was attending the meeting if anyone of Council had any questions since the agenda has the extension of a three (3) year contract for Clarks Summit Fire Co. to provide response to the residents of Clarks Green Borough. Mr. MacPherson told Council of their new ambulance and welcomed all of Council the opportunity to see the ambulance which was available that evening outside. Mr. Barrasse told Chief Yarns that the DPW has concerns about plowing and the cars parked in the streets.

**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	\$	363,617.32
General Fund Money Market		35,282.26
Capital Fund Money Market		108,318.36
Sewer Fund Checking		278,432.47
Sewer Fund Money Market		34,996.33
Sewer – FNCB CD #200278057		50,620.91
Sewer – FNCB CD #200469681		50,000.00
Sewer – Wayne Bank CD		51,091.73
State Funds Checking		<u>112,710.69</u>
Total Checking/Savings	\$	1,085,070.07

Mr. Hughes presented the Budget vs. Actual report comparing balances on the report to amounts from last year noting the real estate taxes are up about \$10,000. Mr. Hughes told Council the total income compared to a year ago is down \$12,000 all contributable to fact that we did not have \$30,000 in building fees. Mr. Hughes reported total expenses and net income were \$6,000 lower 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. Dougherty, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Hughes stated the 2020 Tentative Budget had been adopted at our November meeting and it had no changes noting a 2020 surplus of \$17,580.20. Mr. Hughes motioned to accept the 2020 Tentative Budget for 2020, seconded by Mr. Rinaldi. Mr. Dougherty, Ms. Igoe, Mr. Hughes, Mr. Rinaldi, Mr. Williams and Mr. Barrasse voted in favor. Mr. Hughes read Resolution No. 6 of 2019.

**RESOLUTION No. 6 of 2019**  
**Borough of Clarks Green**  
**Lackawanna County, Pennsylvania**

**A RESOLUTION ESTABLISHING THE REAL ESTATE TAX MILLAGE, WAGE TAX, LOCAL SERVICES TAX  
AND REALTY TRANSFER TAX FOR THE YEAR 2020**

---

**BE IT RESOLVED**, by the Borough Council of the Borough of Clarks Green that the Real Estate Tax millage for the calendar year 2020 be established at fifteen (15) mills, and establishing the Wage Tax at one-half of one percent (0.5%), the Local Services Tax at fifty-two dollars (\$52.00), and Real Estate Transfer Tax at one percent (1%) for the calendar year 2020.

**THIS RESOLUTION** is adopted by the Clarks Green Borough Council this 18<sup>th</sup> day of December, 2019.

**ATTEST:**

**BOROUGH OF CLARKS GREEN**

/s/ Joanne Culbertson  
Joanne Culbertson, Secretary

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

Mr. Rinaldi motioned to approve Resolution No. 6 of 2019, seconded by Ms. Igoe. Mr. Dougherty, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Hughes motioned to transfer \$10,000 from the general account checking to the capital fund and \$10,000 from the sewer fund checking to the capital fund, seconded by Mr. Rinaldi. Ms. Igoe, Mr. Dougherty, Mr. Rinaldi, Mr. Williams, Mr. Hughes and Mr. Barrasse voted in favor. Mr. Hughes told Council the Borough has collected \$2,905 in sewer delinquencies. Mr. Hughes stated he had a request from Mary Ellen Cole to remove her penalty and interest from her sewer account stating she had not received an invoice. Mr. Hughes stated he had review her account and it has been in good standing for several years. Mr. Hughes motioned to waive the penalty and interest on Mary Ellen Cole's account, seconded by Mr. Rinaldi. Mr. Hughes, Mr. Rinaldi, Mr. Dougherty, Ms. Igoe, Mr. Williams and Mr. Barrasse voted in favor.

**HEALTH & SAFETY:** Mr. Rinaldi announced that the Borough will be adopting the emergency operations plan noting it was author by James Waters. Mr. Rinaldi told Council it had been distributed to the police and fire company input has been given and it is in its final form. Solicitor Weinschenk read Resolution No. 7 of 2019 which adopts the emergency operation plan.

**RESOLUTION No. 7 of 2019**

**Borough of Clarks Green  
Lackawanna County, Pennsylvania**

**A RESOLUTION ADOPTING AN EMERGENCY OPERATIONS PLAN (EOP) FOR THE BOROUGH OF  
CLARKS GREEN**

---

**WHEREAS**, Section 7503 of the Pennsylvania Emergency Management Services Code, 35 PA. C.S. Section 7101 et seq. mandates that municipalities prepare, maintain and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within the Borough of Clarks Green (the "Borough"); and

**WHEREAS**, in response to the mandate stated above, the Borough has prepared an Emergency Operations Plan ("EOP") to provide prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster; and

**WHEREAS**, the Borough has also prepared the Emergency Operations Plan in order to reduce the potential effects of major emergency or disaster and to protect the health, safety and welfare of the Borough and its residents.

**NOW THEREFORE, BE IT RESOLVED**, that the Clarks Green Borough Council hereby approves, adopts and places into immediate effect the attached Emergency Operations Plan (EOP). The Borough Council is further authorized to execute a proclamation stating when the EOP was adopted and to distribute the EOP to the organizations and individuals identified therein. All previous plans are hereby repealed.

**THIS RESOLUTION** is adopted by the Clarks Green Borough Council this 18<sup>th</sup> day of December, 2019.

**ATTEST:**

/s/ Joanne Culbertson  
Joanne Culbertson, Secretary

**BOROUGH OF CLARKS GREEN**

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

Mr. Rinaldi motioned to adopt Resolution No. 7 of 2019, seconded by Ms. Igoe. Mr. Dougherty, Mr. Rinaldi, Ms. Igoe, Mr. Hughes, Mr. Williams and Mr. Barrasse voted in favor. Mr. Rinaldi motioned to approve the payment of \$1,200 to James Waters for his work on the Emergency Operations Plan, seconded by Mr. Dougherty. Ms. Igoe, Mr. Dougherty, Mr. Rinaldi, Mr. Williams, Mr. Hughes and Mr. Williams voted in favor. Mr. Rinaldi motioned to appoint James Waters as the Emergency Service Coordinator for Clarks Green Borough beginning December 18, 2019 and for the year of 2020 with a stipend of \$1,000 to be paid in quarterly installments of \$250, seconded by Mr. Hughes. Mr. Williams, Mr. Dougherty, Mr. Hughes, Mr. Rinaldi, Ms. Igoe and Mr. Barrasse voted in favor. Solicitor Weinschenk read Resolution No. 8 of 2019 renewing the three (3) year fire protection agreement with the Clarks Summit Fire Company to provide fire protection services to the Borough and its residents. Solicitor Weinschenk stated the Borough shall pay the Fire Company annually the sum equal to the total assessed valuation of real estate in the Borough multiplied by one mill (.0010).

**RESOLUTION No. 8 of 2019  
Borough of Clarks Green  
Lackawanna County, Pennsylvania**

**A RESOLUTION APPROVING A FIRE PROTECTION AGREEMENT  
FOR THE BOROUGH**

---

**WHEREAS**, Section 1202(35) of the Borough Code (8. Pa. C.S.A. § 101, et seq.) provides that the Borough may enter into contracts for the purpose of providing fire protection services for the Borough; and

**WHEREAS**, the Borough desires to designate THE CLARKS SUMMIT FIRE COMPANY NO. 1, INC. to provide fire protection services to the Borough and its residents; and

**WHEREAS**, The Clarks Summit Fire Company No. 1, Inc. is equipped to furnish reasonable fire protection services to the Borough and its residents.

**NOW THEREFORE, BE IT RESOLVED**, that the Clarks Green Borough Council hereby approves the Borough entering into a Fire Protection Agreement with The Clarks Summit Fire Company No. 1, Inc., substantially in the form attached to this Resolution for a three (3) year period beginning on January 1, 2020 and ending on December 31, 2023.

**BE IT FURTHER RESOLVED**, that the President of Borough Council and the Borough Secretary are hereby authorized to execute a Fire Protection Agreement with The Clarks Summit Fire Company No. 1 Inc., substantially in the form attached to this Resolution.

**THIS RESOLUTION** is adopted by the Clarks Green Borough Council this 18<sup>th</sup> day of December, 2019.

**ATTEST:**

/s/ Joanne Culbertson  
Joanne Culbertson, Secretary

**BOROUGH OF CLARKS GREEN**

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

Mr. Rinaldi motioned to adopt Resolution No. 8 of 2019, seconded by Mr. Dougherty. Mr. Dougherty, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

**SOLICITOR'S REPORT:** Solicitor Weinschenk told Council the reorganization meeting scheduled January 6, 2020 will need to be advertised twenty-four (24) hours prior to the scheduled meeting. Solicitor Weinschenk informed Council the Borough had received a letter from Natural Subrogation Services relating to the insurance claim filed by Sean & Christina Wolfe on their property at 314 Crest Drive for a loss on 11/12/2019. Solicitor Weinschenk stated their homeowner's insurance company paid a claim for \$5,000 in connection with the backup of the sewer damages in their basement claiming negligence by the Borough stating the Wolfes feel the Borough is responsible for marking the involved sewer main and sewer laterals. Solicitor Weinschenk stated his recommendation is to send this letter to our insurance carrier but noted Secretary Culbertson had already completed this task.

**PUBLIC WORKS:** Mr. Dougherty stated once again he is pressing the water company to have a meeting so we can go over all these concerns for the residents on Crest, Gordon and Short Hill Drive. Mr. Dougherty told Council he believes this week the 1981 International Dump truck will be picked up. Mr. Dougherty reported Environmental Services cleared a Borough sewer line on 100 block of Greenbrier Drive due to a sewer blockage.

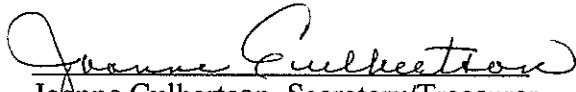
**ARWA:** Mr. Rinaldi reported the ARWA approved an increase in wages of two (2) percent for the employees in 2020. Mr. Rinaldi stated a special reorganization meeting will be held on Friday.

**REFUSE & RECYCLING:** Ms. Igoe reported the Christmas trees will be picked up with the regular trash.

**PERSONNEL:** Mr. Williams distributed the proposed revision to Comp Time Policy. Mr. Williams stated the accrued comp time may be used in hourly increments in lieu of overtime pay and shall not exceed 5 days per quarter. Comp time must be used by the end of the pay period immediately following the one in which it was earned. If an employee does not use earned comp time by then, he/she will be paid for it. Comp Time cannot carry over from one year to another, except when accrued in the last pay period of the current year. This must be used by the end of the first pay period in January of the new year. Mr. Rinaldi stated the problem everyone has with comp time is the scheduling and feels this language in this proposed policy it leaves the Borough in the position that we do not know when someone will be taking the comp time. Mr. Rinaldi doesn't feel this will accomplish anything. Mr. Hughes stated they wanted to see if this revision would help and if not it can be revisited. Mr. Rinaldi stated he would like to eliminate it because when projects are needed to get done, employees take time off. Mr. Williams motioned to adopt the revised comp time policy, seconded by Mr. Dougherty. Mr. Williams, Mr. Dougherty, Mr. Rinaldi, Mr. Hughes and Mr. Barrasse voted in favor. Ms. Igoe voted no. Mr. Barrasse stated Council will be going into an Executive Session for personnel issues. Mr. Barrasse stated the Executive Session concluded at 8:59 P.M. Mr. Rinaldi motioned to set the salary increases for the Joanne Culbertson, Jeff Radle and Kevin Quinn for 2020 in the amount of two (2) percent, seconded by Mr. Hughes. Mr. Williams, Mr. Dougherty, Mr. Hughes, Mr. Rinaldi, Ms. Igoe and Mr. Barrasse voted in favor.

**OLD BUSINESS:** Mr. Barrasse thanked Council for serving as President stating it was fun and challenging at times. Mr. Barrasse thanked everyone for all their hard work stated we did a tremendous job. Mr. Barrasse recognized Councilman Joe Dougherty stating he did a terrific job as chair of DPW and you will be missed. Mr. Barrasse thanked Mayor Lawler for stepping in after the passing of the late Bill Thorburn and for her work as chair of the Planning Commission.

**MOTION FOR ADJOURNMENT:** Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Williams motioned, seconded by Mr. Dougherty to adjourn the meeting at 9:30 P.M. All in attendance voted in favor.

  
Joanne Culbertson, Secretary/Treasurer

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

**December 18, 2019**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE- President Joe Barrasse
2. ROLL CALL – Secretary Joanne Culbertson
3. MOTION TO ACCEPT MINUTES –October 31 2019, & November 6 2019:
4. PUBLIC COMMENT  
Visitors should approach the podium and state their name and address. Comments limited to 5 min
5. Lackawanna County Report?
6. MAYOR's Report, Mayor Lawler,  
Police Report- Clarks Summit Police Chief Yarns  
Clarks Summit Fire Co. President Mike Lukus, Chief Jay Miller, EMS Corey Colarossi
7. Solicitor's Report- Mr Weinschenk
8. PUBLIC WORKS COMMITTEE – Mr. Dougherty  
Progress on DPW Projects. Crest Dr.? Zoning Report
9. TREASURER'S REPORT AND BILL APPROVAL – Mr. Hughes  
2020 Budget Report & Motion; Resolution for Tax millage  
Transfer \$20,000 to Capital Fund (\$10,000 from Sewer, \$10,000 from General).
10. ARWA – Mr. Rinaldi
11. FINANCE COMMITTEE – Mr. Hughes  
Payments, & Sewer Account Delinquencies.
12. BUILDINGS & GROUNDS COMMITTEE – Mr. Toms
13. REFUSE & RECYCLING COMMITTEE– Ms. Igoe
14. HEALTH & SAFETY COMMITTEE-- Mr. Rinaldi  
Emergency Management Plan Adoption & Resolution; and associated motions.  
Fire Protection Agreement & Resolution
15. PERSONNEL COMMITTEE– Mr. Williams  
Executive Session for Personnel issues  
Assistant Secretary/ Treasurer position. Comp Time Policy
16. OLD BUSINESS  
Brief Comments on 2019
17. NEW BUSINESS
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.