

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
APRIL 15, 2020**

CALL TO ORDER: President Barrasse called the virtual (via telephone) meeting of the Clarks Green Council to order at 7:05 p.m. with the Pledge of Allegiance.

ROLL CALL: President Barrasse conducted roll call. The following were present: Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Toms, Mr. Williams, Dr. Cochran, Mr. Barrasse, Mayor McGraw and Solicitor Weinschenk. Secretary Culbertson joined after roll call.

President Barrasse offered on behalf of Council and himself condolences to Mr. Toms and his family for the passing of his wife, Elizabeth Toms. President Barrasse stated this meeting had been posted on the Borough doors plus on the Borough's website noting only essential business will be discussed at this meeting. Mr. Rinaldi asked Mr. Barrasse to explain what would be essential business. Solicitor Weinschenk defined it as business that needs to be conducted for the Borough to continue operations under the current situation.

VISITORS: Jeffrey Radle, Clarks Green DPW employee.

PUBLIC COMMENT: No public comments.

MAYOR'S REPORT: Mayor McGraw offer his condolences to Mr. Toms and his family. Mayor McGraw stated he is working on trying to find a way to communicate with the residents of Clarks Green through the use of email. Mr. Barrasse stated he had talked with CSPD Chief Yarns and there was nothing to report.

SOLICITOR'S REPORT: Solicitor Weinschenk told Council he had nothing specific to report at this time and reminded Council on the pending subdivision but feels the applicant would be willing to extend the time period and informed Council if an emergency declaration is approved it suspends all of the meetings of committees and authorities etc. under the jurisdiction of the Borough. Mr. Parker stated the Planning Commission had accepted the plan and it was to go before the Council for their approval. Mr. Parker added if Council approves the plan it should be conditioned upon that all signatures being on the plan. Mr. Parker explained there were no signatures on the plan nor a notary seal making it unrecordable and legally insufficient. Solicitor Weinschenk stated after hearing Mr. Parker he would say it would not have been a compliant application that would affect the forty-five (45) day deemed approval aspect.

PUBLIC WORKS: Mr. Rinaldi reminded Council that the Borough Engineers requested proposals for the project to replace storm pipes located at Short Hill and Crest Drives with a deadline of March 25th. Mr. Rinaldi told Council there were three (3) contractors who had submitted proposals: Buranich Excavating Project #1 - \$21,340 and Project #2 \$13,950, MHW Construction Project #1 - \$12,380 and Project #2 - \$9,550, and Sproul Construction Project #1 - \$19,550 and Project #2 - \$11,795. Mr. Rinaldi stated the contracts had been reviewed by both the Borough engineers and Borough Solicitor and some modifications were made to take in account the COVID emergency. Mr. Rinaldi stated he executed the contracts on behalf of the Borough as discussed at the last two (2) work sessions so the work can be done before the paving from PAWC. Mr. Rinaldi motioned that Council ratify the actions of contracting with MHW Construction for Project #1 for the amount of \$12,380 and Project #2 for the amount of \$9,550 making the total \$21, 930, seconded by Mr. Hughes. Mr. Rinaldi, Mr. Hughes, Mr. Williams, Mr. Toms, Dr. Cochran, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Rinaldi noted the Engineer's had provided to Council a conservative estimate of \$30,000 making the proposal approximately twenty-nine (29)

percent less under the estimate. Mr. Rinaldi told Council he had a staff meeting with the DPW last Friday and have a work schedule in place allowing for social distancing but still will get the necessary tasks done. Mr. Rinaldi listed some examples such as the landscaping of the Borough grounds, gazebo plus the cleaning of the inlets (storm drains) and the fixing of potholes. Mr. Rinaldi informed Council a bleach water solution will be used to disinfect the Borough building and trucks.

GEORGE PARKER, ZONING OFFICER REPORT: Mr. Parker briefly reviewed his monthly report. Mr. Parker informed Council he currently has three (3) applications on his desk noting they all require UCC inspection noted the inspector is not allowed to work during the pandemic.

RECESS: At this moment the meeting was hacked approximated 7:30 P.M. Mr. Rinaldi motioned to recess the meeting and meeting will resume via Zoom Friday, April 17th at 11:00 A.M. , seconded by Dr. Cochran. All in attendance voted in favor.

MEETING RECONVENED APRIL 17, 2020

CALL TO ORDER: President Barrasse reconvened the meeting (via Zoom) of the Clarks Green Council to order at 11:00 a.m. with the Pledge of Allegiance.

ROLL CALL: Secretary Culbertson conducted roll call. The following were present: Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Toms, Mr. Williams, Dr. Cochran, Mr. Barrasse, Mayor McGraw and Solicitor Weinschenk.

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	\$	264,762.13
General Fund Money Market		35,384.62
Capital Fund Money Market		128,513.15
Sewer Fund Checking		337,350.43
Sewer Fund Money Market		35,098.68
Sewer – FNCB CD #200278057		51,380.36
Sewer – FNCB CD #200469681		50,000.00
Sewer – Wayne Bank CD		52,384.37
State Funds Checking		<u>162,197.63</u>
Total Checking/Savings	\$	1,117,071.37

Mr. Hughes presented the Budget vs. Actual report comparing balances on the report to amounts from last year. With no questions from Council Mr. Hughes motioned, seconded by Mr. Toms to accept the Treasurer's report and ratify the payment of the bills. Mr. Toms, Dr. Cochran, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Hughes stated the Real Estate Tax Collector, Mary O'Brien was going to keep the scheduled office hours for April 25th. After a brief Council discussion it was agreed upon that the office will be kept closed and a note would be placed on the door that taxes will need to be mailed to P.O. Box 661 Clarks Summit due to the COVID-19 pandemic. Mr. Hughes told Council he had called NBT Bank regarding the Cares Act and they had put us on a waiting list and was going to investigate whether or not municipalities are eligible. Mr. Rinaldi told Council he believes the original Care Act only provided relief for municipalities who had more than a half million residents. The Bill Congress is working on now will provide money for state, local municipalities and that the Payroll Protection Plan ran out of funds yesterday. Mr. Rinaldi told Council the Senate Bill 841 was presented to the Governor and in the Bill it allows for municipalities by

Resolution to extend the dates for the payment of real estate taxes. Mr. Hughes briefly reviewed the sewer report stating we had collected \$4,947 in sewer delinquencies. Mr. Hughes informed Council sewer account 0283 property had not been lien noting he had made payments of \$500 and \$300 with the understanding he will continue to make payments since his current health and employment situations have changed. Ms. Igoe told Council the sewer delinquencies should be listed in the paper. Mr. Rinaldi stated he wants Solicitor Weinschenk to review the Senate Bill 841 noting he was not sure how this would affect penalties and interest on delinquent sewer bills.

HEALTH & SAFETY: Dr. Cochran told Council the borough employees should be wearing facial masks and using hand sanitizer or other disinfecting agents and even the usage of gloves. Mr. Barrasse stated he was not sure if they had masks or gloves but the employees have been instructed to sanitize their work stations. Mr. Barrasse informed Council currently there are only one or two employees entering the facility in a day especially the front office and there is no public admittance. Mr. Rinaldi stated he directed the DPW crew to purchase mask and gloves.

PERSONNEL: Mr. Williams informed Council the Personnel Committee after a discussion concerning the Borough workforce during this COVID-19 pandemic recommends a reduction of hours not a total furlough and it would only be temporary. Mr. Williams stated a couple of factors made up this decision noting safety and finance. Mr. Williams told Council he had been in contact with Solicitor Weinschenk who obtained information about PA unemployment laws and rates. Mr. Williams informed Council if an employee works thirty (30) percent or less they could be eligible for full unemployment compensation benefits. Mr. Williams stated the reduction of hours would be for the DPW crew and Joanne Culbertson noting it would be just temporary and the Zoning Officer, George Parker would not be affected due to possible permit applications. Mr. Williams stated the Personnel Committee agreed to pay the Borough's share of the DPW health insurance along with the pension contributions. Mr. Williams told Council the Personnel Committee discussed the timeline on to which this would be taking place and all agreed the sooner the better so the next pay period will begin Monday, April 20th. Mr. Barrasse stated safety is the number one priority. Dr. Cochran asked if the employees would be making more money and Solicitor Weinschenk stated if the employee works thirty (30) percent or less they could be eligible for full unemployment compensation benefits. Several Council members disagreed noting they do not get a full salary but only a percentage of their salary approximately sixty (60) percent. Mr. Rinaldi questioned "how much money will the Borough be saving by reducing the workforce hours and disrupting the employees' lives. Mr. Hughes stated the gross payroll is approximately \$3,000. Mr. Rinaldi further stated the Personnel Committee made these decisions without even talking with the Chair of DPW Committee. Mr. Williams stated he did place a call with him (Mr. Rinaldi) once. Mr. Barrasse stated this was discussed at our April work session. Mr. Rinaldi stated at the work session it was discussed briefly but if there was a possibility of layoff it would not happened until May 2nd which he had informed the DPW crew of this date. Solicitor Weinschenk stated paid benefits does not affect their unemployment salary when collecting. Ms. Igoe asked how this is fair to the other employees. Ms. Igoe expressed her opinion further stating she does not believe anyone should be laid off noting no other local Boroughs did. Mr. Rinaldi stated he had devised a schedule with the DPW for getting them back to work in the Borough with social distancing. Mr. Barrasse told Mr. Rinaldi he is only one (1) person on Council and he did not have a right to tell the DPW they were safe until May 2nd. Mr. Rinaldi stated it was his right to relay to his employees who he supervises what Council represented at its meetings especially during this pandemic. Mr. Hughes stated May 2nd was not a commitment noting it was a discussion. Mr. Rinaldi and Mr. Barrasse briefly discussed this further with several other Council members recalling the work session discussion. Mr. Hughes backed up his decision on continuing to pay health insurance by stating he had read from local and national financial papers that companies continue paying health insurance for their employees. Mr. Rinaldi stated our Borough is the only municipality in the Abingtons considering laying off their employees. Ms. Igoe and Mr. Toms agreed stating they do not see a need for laying off of the employees. Mr. Toms stated the employee basically only receive approximately sixty (60) percent of their weekly pay under unemployment. Solicitor Weinschenk stated

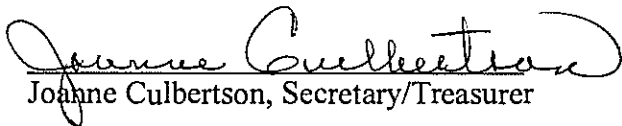
there is a maximum on what they can only receive. Mr. Toms suggested that possibly the Borough should delay purchasing the truck resulting in a saving for the Borough. Mr. Hughes stated the purchasing of the trucks are not the issue here. We already purchased one and we are obligated to take the other one. Ms. Igoe stated maybe we should collect what is owed on sewer delinquencies. Solicitor Weinschenk told Council they might want to consider if more funds are allotted to the PPP Program that would cover municipalities that had kept their employees on would be most likely entitled forgiveness on the loan and if it follows concurrent payback were seventy-five (75) percent of the funds must be used for employee salaries, benefits or employee-paid retirement in order for the loan to be given noting it needs to be paid out within eight (8) weeks when you receive the PPP loan. Solicitor Weinschenk stated the furlough employees would have to be hired back once you had received the loan. Mr. Rinaldi informed Council he learned from DCED webinar the next proposed Bill may require municipalities to have had declare an emergency but did not happen at our Borough. Mr. Rinaldi asked Mr. Williams what is the plan for the secretary and the assistant secretary at the Borough. Mr. Williams stated Paula Thompson would be working her regular days and hours. Joanne Culbertson work hours will be 9.6 using the thirty (30) percent rate. Mr. Williams stated she has been going in approximately around six (6) hours or less a week. Mr. Williams stated it was discussed to have Joanne go into work the days Paula was not in the office for an approximate nine (9) hour total. Mr. Rinaldi questioned why they would reduce the secretary hours and not the assistant secretary's (payroll clerk) work schedule noting the secretary has been there the longest and is the most knowledgeable of Borough operations. Mr. Rinaldi stated he initially had concerns about Joanne Culbertson at the beginning of this quarantine do to post medical reasons suggesting that she be allowed to stay home with Paula Thompson conferring with her on a daily basis on the various mail the Borough might had received or issues that might come up. Mr. Rinaldi stated Council now wants to replace her almost completely but keep her on with a few hours to fix potential mistakes or whatever piles up if the assistant secretary is unable to complete. Mr. Rinaldi did not elaborate but mentioned the previous treatment of women by Council in his discussion. Mr. Hughes stated Paula Thompson's role is to handle accounts payables to which she is doing and processing sewer payments. Mr. Toms and Ms. Igoe agreed with Mr. Rinaldi concerning the secretary of the Borough and again, stated none of the Borough employees should be laid off. A discussion took place on the other possible municipalities that is laying off their employees but no one had specifics. Mr. Barrasse noted he had heard that some municipalities have been asking their employees to use their sick time noting we are paying our employees for the most of time to stay home but be on call when needed. Mr. Barrasse told Council the second part of the Cares Act should include municipalities but we would not qualify for any of the listed expenses. Mr. Barrasse talked a little about the Emergency Declaration noting he had talked with several Boroughs and stated several declared emergencies but he thinks in all honestly they are trying to get some money back for their payroll and in my opinion it will be in form of a loan. Mr. Barrasse stated after a discussion with our finance chairperson, we do not really want to take a loan. Mr. Rinaldi told Council that is completely opposite of what I read and what he discussed with Congressman Cartwright and Mary Flynn's office. Mr. Toms asked Dr. Cochran for his opinion concerning the DPW crew if they can perform their duties with the proper precautions. Dr. Cochran stated sure they can and so can everyone else noting the problem is that everyone does not pay attention to the proper precautions. Mr. Toms asked again, if we do not lay them off they can function at work, Dr. Cochran stated yes, they can function at work. Dr. Cochran asked Mr. Rinaldi if the elected officials indicated that the municipalities were going to be covered under the plan. Mr. Rinaldi stated that is what the Democrats in Congress are insisting on which is holding up the third Relief Act. Mr. Williams motioned to reduce the hours of the four (4) employees (Dave Kohinsky, Kevin Quinn, Jeffrey Radle, and Joanne Culbertson) working 30% of their hours so they can collect full unemployment compensation with the provision of working one (1) or (2) hours less the threshold and addition pay the Borough's share of health insurance for the DPW, seconded by Mr. Hughes. Mr. Rinaldi motioned to table the motion, seconded by Mr. Toms. Ms. Igoe, Mr. Rinaldi, Mr. Toms voted yes. Mr. Williams, Dr. Cochran, Mr. Hughes and Mr. Barrasse voted no. Mr. Hughes amended the motion...to reduce the hours of the four (4) employees (Dave Kohinsky, Kevin Quinn, Jeffrey Radle, and Joanne Culbertson) working 30% of their hours so they can collect full unemployment compensation with the provision of working one (1) or (2) hours less

the threshold and addition pay the Borough's share of health insurance for the DPW taking effect in the next pay period of May 2nd, seconded by Dr. Cochran. Dr. Cochran, Mr. Hughes, Mr. Williams voted yes. Mr. Rinaldi, Ms. Igoe, Mr. Toms and Mr. Barrasse voted no. Motion did not pass. Discussion took place with all Council members and Solicitor Weinschenk since the original motion was amended and then voted on and defeated and Mr. Hughes proposed another nearly identical motion. Solicitor Weinschenk told Council after reviewing Robert's Rule of Order once the amended motion fails a new motion needs to be significantly different than the motion that had failed. However, a new motion can be brought up at the next meeting. Solicitor Weinschenk told Council he is legal counsel to the Borough's Council not to the majority or minority. Mr. Toms told Council with the work schedule Mr. Rinaldi has in place why would we want to layoff personnel and the Safety chair, Dr. Cochran stated the men can function at work with the necessary precautions. Mr. Williams stated when the layoff was initially introduced would the necessary actions be done at a slower pace since the reduction of work hours. Mr. Rinaldi stated the DPW will be working basically there full amount of hours but will be working separately keeping social distance.

RECESS: President Barrasse called for a two minute break.

OLD BUSINESS: Mr. Barrasse asked for Council's comments or thoughts on proposed Emergency Declaration. Dr. Cochran asked if declared does it opens us up for more potential finances for the future. Solicitor Weinschenk stated he does not see any detriment in declaring the Emergency and the advantage would be for future loan forgiveness, grants etc. which is unknown at this point. Mr. Rinaldi added that declaring an Emergency would give Clarks Green the opportunity to see the EOP into action along with how the appointed Emergency Coordinator, James Waters would handle the situation.

MOTION FOR ADJOURNMENT: Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Hughes motioned, seconded by Dr. Cochran to adjourn the meeting at 1:44 P.M. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
Agenda
VIA Teleconference

April 15, 2020

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE-** President Joe Barrasse
2. **ROLL CALL** – Secretary Joanne Culbertson
3. **MOTION TO ACCEPT MINUTES** –
4. **PUBLIC COMMENT**
Visitors should approach the podium and state their name and address. Comments limited to 5 min
5. **MAYOR's Report, Mayor McGraw**
Police Report- Clarks Summit Police Chief Yarns
Clarks Summit Fire Co. President Mike Lukus, Chief Jay Miller, EMS Corey Colarossi
6. **Solicitor's Report-** Mr Weinschenk
7. **PUBLIC WORKS COMMITTEE** – Mr. Rinaldi
Ratification of contracts for water pipe replacement for Short Hill, and Crest Drive
Zoning Report- Mr Parker
8. **ARWA-** Mr. Rinaldi
9. **TREASURER'S REPORT AND BILL APPROVAL** – Mr. Hughes
11. **FINANCE COMMITTEE** – Mr. Hughes
Payments, & Sewer Account Delinquencies.
12. **REFUSE & RECYCLING COMMITTEE**– Ms. Igoe
13. **HEALTH & SAFETY COMMITTEE-** Dr. Cochran
Safety in the office, and garage.
14. **PERSONNEL COMMITTEE**– Mr. William
Employee work schedule, and clarification of discipline procedure.
15. **OLD BUSINESS**
Emergency Declaration
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.