

**CLARKS GREEN BOROUGH  
SPECIAL MEETING  
COUNCIL MINUTES  
FEBRUARY 5, 2020**

**CALL TO ORDER:** President Barrasse called the special meeting of the Clarks Green Council to order at 6:00 p.m. with the Pledge of Allegiance.

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

**VISITORS:** Jason Kavulich, Director of LCAAA, Cathy Plishka, Michaelene Mastriani, Adele Bianchi, Sandra Tomachick, Mary O'Donnell, Eleanor Quick, Mark Spatz, Nancy Barrasse, Jon Thomas, Jim Davis, William Wicks, Mariellen and Brian Kaeb, Bill Risse, Richard Lenehan, Sue Meyer, Robert Saunders, Greg Pascale, David O'Neill, S. Abington Twp. Borough Manager, Jake Stevens, Times-Tribune and Robert Tomkavage, Scranton Times.

President Barrasse welcomed all visitors to the Special Meeting to discuss and vote on the Abington Senior Center. President Barrasse introduced Jason Kavulich, Director of the LCAAA thanking him for coming to the meeting to help clarify the concerns addressing the Abington Senior Center.

**JASON KAVULICH, DIRECTOR OF LCAAA:** Mr. Kavulich stated he was happy to attend the meeting to answer the questions concerning the senior center. Mr. Rinaldi opened the questioning by asking "when will the senior center be open" if Clarks Green acts tonight in approving the termination agreement and the lease of the senior center. Mr. Kavulich stated it would be open by Monday and if not sooner once we have all the signatures on the lease and after it has been reviewed. Mr. Rinaldi reviewed his facts on the 2019 arrangements on the senior center starting with Telespond received \$92,000 and Mr. Kavulich stated that it was a little bit more but did not have the exact figures at the moment. Mr. Rinaldi asked "what was the rent Telespond was paying in 2019 and how was it broken down". Mr. Kavulich stated rent was \$1,800 between Telespond and the site counsel contribution. Mr. Rinaldi asked Mr. Kavulich to verify that the total was \$18,500 per year and broken down site counsel total was \$8,200 and Telespond \$10,300. Mr. Kavulich stated that is what was reported to us. Mr. Kavulich further explained there are two (2) different funding streams based off of activities and meals both having different rates since Mr. Rinaldi wanted to know what percentage did Telespond pay. Mr. Rinaldi stated also there were other expenses such as cutting grass and snow removal. Mr. Rinaldi talked about a January 24<sup>th</sup> meeting with the County and Mr. Kavulich stated the meeting was held to clarify information since there was mis-information circulating. Mr. Kavulich stated they will be paying \$23,000 a year for the rent and the site counsel will not be contributing anything for the upkeep or the maintenance of the building. Mr. Barrasse asked if more dollars will be going towards senior planning and Mr. Kavulich stated yes. Mr. Rinaldi asked how this arrangement going to bring direct program dollars to our seniors. Mr. Kavulich stated we have already re-aligned our budget by reducing overhead and administrative costs. Mr. Kavulich stated he is always available if more information is needed concerning program dollars. Mr. Hughes asked about the responsibilities of the LCAAA under this arrangement. Mr. Kavulich stated it will be responsible for opening and closing of the senior center at the scheduled hours and keep the center in a decent working order. If we damage something we will be responsible in repairing it. However, if we are not using the space we are not responsible and maintenance will be the responsibility of the landlord (AAJRB) that is why we are paying rent noting there is a contact list along with a vendor list if needed. Mr. Kavulich also stated LCAAA will be responsible for the meals the center provides by Nascorp. Mr. Barrasse stated back in October 2019 they were told the senior center could have been

leased month-to-month with LCAAA and Clarks Summit and explained at these municipal meetings no one was informed the senior center was to close on January 1, 2020. Mr. Barrasse further explained he wanted to clarify that at the January 24<sup>th</sup> meeting Solicitor Hayes from Clarks Summit stated they could not accept the LCAAA offer of leasing month-to-month to keep the senior center open and wanted the public to be aware of this and that is why Clarks Green Council called a special meeting tonight because they wanted to resolve this issue quicker. Mr. Rinaldi had a few questions regarding the LCAAA contract. One (1) of questions dealt with operation hours for the senior center which Mr. Kavulich stated the hours are from 9 A.M. to 3P.M. six (6) hours a day and some extra hours have been added in approximately 150 hours a month. Mr. Rinaldi asked if the lease was going to be a five (5) year or one (1) year lease at \$23,000 per year and wanted clarification. After a brief discussion and comments from the attendees in the audience it had not been clarified except. Mr. Kavulich believed that the AAJRB cannot successfully negotiate the lease with the five (5) municipalities.

**PUBLIC COMMENT:** Mark Spatz, Co-Chair of AAJRB offered some history on AAJRB noting Clarks Green’s fee has not increased and did cost comparisons with the other four (4) municipalities involved as well in helping to clarify, in his opinion, misinformation that has been circulated from previous weeks. Richard Lenehan, shared a few stories about the people who had been affected by the closure of the senior center. William Wicks, Chairperson of Glenburn Board of Supervisors, encourage Council to approve the resolution authorizing the AAJRB to terminate the lease of the senior center and let AAJRB negotiate the lease in behalf of the five (5) municipalities. David O’Neill, S. Abington Borough Manager, stated the Borough also had their opinions concerning Clarks Summit Borough terminating its lease with the senior center especially if there were added expenses. Mr. O’Neill stated in their resolution it states no further expenses and that AAJRB will maintain the property and that the property will be self-sustaining and also proposed the lease should be one (1) year. Greg Pascale, AAJRB Solicitor and former AAJRB Board Member, talked about how this will be a great opportunity for our citizens in our community noting this building should be utilized by more organizations. Mr. Pascale stated in his opinion this is not a liability but an asset. Mr. Pascale stated he believes the AAJRB track record shows this is the right organization to manage the facility. Several attendees spoke on behalf of the activities held at the senior.

**SENIOR CENTER:** President Barrasse entertained a motion to accept Resolution No. 2 of 2020. Dr. Cochran motioned and Ms. Igoe seconded the motion. Mr. Toms, Dr. Cochran, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

**RESOLUTION NO. 2 of 2020**

**BOROUGH OF CLARKS GREEN**

**A RESOLUTION AUTHORIZING THE ABINGTON AREA JOINT RECREATION BOARD  
TO TERMINATE LEASE OF SENIOR CENTER**

WHEREAS, the Borough of Clarks Green (the “Borough”) is a Borough and Municipality in the Commonwealth of Pennsylvania organized and governed according to the Borough Code; and

WHEREAS, the Borough, the Borough of Clarks Summit (“Clarks Summit”), the Township of Glenburn, the Township of Waverly and the Township of South Abington (collectively, the “Municipalities”), as tenants in common, are the owners of a 101.82 acre tract of land located adjacent to State Route 307 (Winola Road) in South Abington Township, Lackawanna County, Pennsylvania, commonly known as “Abington Community Park” or “Hillside Park” (hereinafter referred to as “the Property”); and

WHEREAS, the Commonwealth of Pennsylvania conveyed the Property to the Municipalities by Deed dated December 19, 1974 and recorded in Lackawanna County Deed Book 855, at Page 333; and

WHEREAS, the Municipalities, by joint agreement, established a joint advisory board under the provisions of the Act of July 12, 1972 (P.L. 762, No. 180) entitled "An Act Relating to Inter Governmental Cooperation", and known as the Abington Area Joint Recreation Board ("AAJRB") and authorized the AAJRB to develop and manage the Property as a recreation site; and

WHEREAS, the AAJRB continues to operate and is comprised of members appointed by the Municipalities, including the Borough; and

WHEREAS, on or about October 1992, Clarks Summit entered into a Lease with AAJRB for a 99-year term (the CSB Lease") and allotted approximately \$325,000 from funds that Clarks Summit secured through the Pennsylvania Community Development Block Grant Program to construct the Abington Senior Community Center ("Senior Center") on part of the Property with a mailing address of 1151 Winola Road, South Abington Township, Pennsylvania 18411; and

WHEREAS, a copy of the CSB Lease has not been able to be located; however, reference to and description of said Lease is made in other legal documents and meeting minutes; and

WHEREAS, Clarks Summit and AAJRB wish to terminate the CSB Lease, which will result in ownership, control and possession of the Senior Center building, reverting to the Municipalities pursuant to the terms of this Agreement; and

WHEREAS, in exchange for One Dollar (\$1.00) and other good and valuable consideration, Clarks Summit agrees to convey by quitclaim deed its interest in the real property of the Senior Center to the Municipalities pursuant to Section 1201.3(a)(2) of the Borough Code, 8 Pa. C.S.A. §1201.3(a)(2); and

WHEREAS, in exchange for One Dollar (\$1.00) and other good and valuable consideration, Clarks Summit agrees to convey by bill of sale its interest in the personal property of the Senior Center to AAJRB pursuant to Section 1201.3(a)(2) of the Borough Code, 8 Pa. C.S.A. §1201.3(a)(2).

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Clarks Green authorizes the following with regard to the Abington Senior Community Center:

1. The Borough Council President is hereby authorized to execute a Termination of Lease , the form of which shall be approved by the Borough Solicitor, which, in addition to terminating the CSB Lease, also authorizes the AAJRB, on behalf of the Municipalities, to enter into a five (5) year lease with the Lackawanna County Area Agency on Aging ("LCAAA") which lease is referred to herein as the "LCAAA Lease".

2. The LCAAA Lease shall contain the following terms and provisions;

a. The term of the LCAAA Lease will be Five (5) years;

b. The annual rent will be \$23,000 payable in monthly installments of \$1,916.16 per month;

c. The LCAAA Lease will be nonexclusive and AAJRB will be able to permit community organizations and other groups to use the center when it is not being used for senior programming;

d. LCAAA solely determines the senior programming to be offered at the center;

e. LCAAA will be responsible for cleanup following its activities; and

f. LCAAA will not be responsible for utilities, maintenance, repairs, replacements, snow removal, landscaping, insurance, etc. AAJRB will pay these expenses from the rent received from LCAAA.

g. LCAAA activities at the Center are covered by the County's general liability insurance.

3. The Abington Area Joint Recreation Board is authorized make payment of One Dollar (\$1.00) in order to acquire by bill of sale the Borough of Clarks Summit's interests in the personal property of the Abington Senior Community Center.

4. This Resolution is conditioned upon all the Municipalities agreeing to the terms of the termination of lease and transfer of the facility.

5. Further obligations of the Municipalities by way of appropriation or otherwise shall not be created or incurred by the Abington Area Joint Recreation Board by the terms hereof nor shall the Property be encumbered by same.

**RESOLVED** by the **Council of the Borough of Clarks Green** this 5<sup>th</sup> day of February, 2020.

ATTEST:

**BOROUGH OF CLARKS GREEN**

/s/Joanne Culbertson  
Joanne Culbertson  
Secretary

/s/Joseph Barrasse  
Joseph Barrasse  
Council President

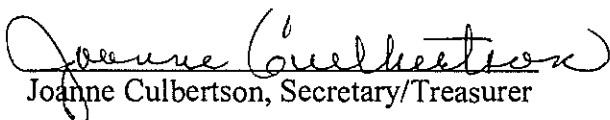
Approved this 5<sup>th</sup> day of February 2020

/s/ Kenneth McGraw  
Kenneth McGraw, Mayor

The Special Meeting adjourned briefly at 7:29 P.M. The Special Meeting reconvened at 7:37 PM.

**NEW BUSINESS:** Mr. Hughes motioned to appoint Joe Dougherty to the Clarks Green Planning Commission, seconded by Keith Williams. Mr. Williams, Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Toms, Dr. Cochran and Mr. Barrasse voted in favor. President Barrasse entertained a motion for the re-appointment of Williams Toms to the Planning Commission. Mr. Hughes motioned, seconded by Mr. Rinaldi. Dr. Cochran, Mr. Rinaldi, Mr. Toms, Mr. Hughes, Mr. Williams, Ms. Igoe and Mr. Barrasse voted in favor. Council had a brief discussion on the Planning Commission noting they will need to have a reorganization meeting along with a review of the plan submitted to our Zoning Officer, George Parker for the old gas station.

**MOTION FOR ADJOURNMENT:** President Barrasse entertained the motion to adjourn the meeting. Mr. Hughes motioned, seconded by Mr. Rinaldi adjourn the special meeting at 7:44 p.m. All in attendance voted in favor.

  
Joanne Culbertson, Secretary/Treasurer

# CLARKS GREEN BOROUGH SPECIAL MEETING

February 5, 2020

## Agenda

1. Call to Order – Mr. Barrasse
2. Pledge of Allegiance
3. Roll Call Mr. Barrasse
4. Questions/ Answers by Jason Kavulich- Director LCAA
5. Public Comment- Note comments are limited to 3 minutes per individual.
6. Senior Center discussion and vote.
  - a. Motion to allow Clarks Summit to terminate existing lease with Telespond.
  - b. Motion to allow AAJRB to enter into a Lease with LCAAA
  - c. Dave Rinaldi's alternative motion.
7. Old Business
8. New Business
  - a. Appointment of Joseph Dougherty to Planning Commission.
  - b. Reappointment of William Toms to Planning Commission.
  - c. Schedule a reorganization meeting of The Planning Commission.
9. 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.