

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

CALL TO ORDER: Vice President Williams 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. Toms, Mr. Williams, and Mayor McGraw. Dr. Cochran, Mr. Barrasse and Solicitor Weinschenk via phone.

APPROVAL OF MINUTES: President Barrasse entertained the motion to accept the minutes of the December 4th Council meeting. Mr. Hughes motioned, seconded by Mr. Toms. Mr. Williams, Ms. Igoe, Mr. Hughes, Mr. Rinaldi, Dr. Cochran, Mr. Rinaldi and Mr. Barrasse voted in favor. President Barrasse entertained the motion to accept the minutes of the January 6th Reorganization meeting. Mr. Rinaldi motioned, seconded by Ms. Igoe. Mr. Rinaldi, Dr. Cochran, Mr. Hughes, Mr. Toms, Ms. Igoe, Mr. Williams and Mr. Barrasse voted in favor.

VISITORS: John Archangel, 719 Highland Ave., Christina Wolfe, 314 Crest Drive, Adele Bianchi, Edward Ims, Lou Pistella, Mary Ann Antinnes, Janet Crowther, Mary O'Donnell, Eleanor Quick, Sandra Tomachick, Chris Calvey, Rich Lenehan, Vice President of the Abington Heights Community Center Site Council, Robert & Diane Kennedy, 315 Gordon Drive, Sue Meyer, Jon Thomas, Cathy Plishka, Mary Moore, 113 Glenburn Road, Paula Thompson, Peter Giermanski, Chairman of Clarks Green Shade Tree Commission, Robert Tomcavage, Scranton Time, Ben Freda, Abington Journal and CSPD, Chief Yarns.

PUBLIC COMMENT: John Archangel, 719 Highland Ave., addressed Council on his concern with the old gas station and asked for some kind of action and stated he pay a three (3) mill increase in taxes to remedy the situation. Janet Crowther, told Council the Abington Senior Center is a real asset to community and respectively asked Council to give their approval to the transfer of the Center to AAJRB. Rich Lenehan, Vice President of the Abington Heights Community Center Site Council, addressed Council by stating the Abington Senior Center needs to be open because people are really suffering. Mr. Lenehan told Council he hopes Clarks Green Council can come to an agreement noting the center can reopen as early as Friday. Peter Giermanski, Chairman of Clarks Green Shade Tree Commission, stated he was here tonight to introduce himself along with Jon Thomas and Ernest Keller as members of the Shade Tree Commission noting the Commission meets every second Thursday of the month at 7 P.M. at the Borough building. Mr. Giermanski informed everyone that the Commission provides street trees for all residents of Clarks Green either free of charge or low cost depending on the situation. Mr. Giermanski asked Council if they could possibly raise their contribution to the Shade Tree Commission to \$1,500 from \$1,400 for 2020 year.

MAYOR'S REPORT: Mayor McGraw addressed Council by stating he was honored to represent the citizens of Clarks Green noting this is the first official meeting since being elected Mayor of Clarks Green. Mayor McGraw expressed his and Council's condolences to President Barrasse for loss of his father last week. CSPD, Chief Yarns briefly reviewed last month's police report noting low activity. Chief Yarns reminded all in attendance of the Clarks Green on-street parking ban until March 31st noting this will help with DPW crew for the plowing of the Borough streets.

SOLICITOR'S REPORT: Solicitor Weinschenk told Council last month they approved a three (3) year contract with the Clarks Summit Fire Company for the purpose of providing fire protection services for

the Borough but Clarks Summit Fire Company requested to have it changed to a one (1) year contract with or without the either party may terminate the Agreement at any time prior to December 31, 2020 with sixty (60) days prior written notice to the other party repealing Resolution No. 8 of 2019 and if approved it will be part of Resolution No. 1 of 2020. Mr. Rinaldi motioned to approve Resolution No. 1 of 2020 with the one (1) year fire protection contract with the mutual termination clause, seconded by Ms. Igoe. Mr. Williams asked if there is any need for discussion. Mr. Rinaldi told Council when the Clarks Summit Fire Company presented what they wanted in the fire contract it was a three (3) year contract but compensation was going to increase every year in excess of compensation provided by state statute. Mr. Rinaldi pointed out the Borough also has an obligation to the Fire Relief Fund costing approximately \$3,000 a year. Mr. Rinaldi stated he did not want to set precedent of providing compensation above the state requirement since doing so could possibly result in a bidding situation where poor municipalities could not afford it. Mr. Hughes stated in the budget deliberations the Finance Committee agreed they would make a voluntary contribution after seeing how we completed the budgeted year of 2019 and it was explained to the Clarks Summit Fire Company. Mr. Toms, Dr. Cochran, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

RESOLUTION No. 1 of 2020
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 one (1) year period beginning on January 1, 2020 and ending on December 31, 2020.

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.

BE IT FURTHER RESOLVED, that Resolution No. 8 of 2019 his hereby repealed.

THIS RESOLUTION is adopted by the Clarks Green Borough Council this 15th day of January, 2020.

ATTEST:

/s/ Joanne Culbertson
Joanne Culbertson, Secretary

BOROUGH OF CLARKS GREEN

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

GEORGE PARKER, ZONING OFFICER REPORT: Mr. Parker asked Council if there are any questions regarding the Zoning Report. Ms. Igoe stated she had noticed a crew of people by the old gas station. Mr. Parker stated they were surveyors engaged in a boundary survey which has been completed and a plan has been submitted today (1/15/2020). Mr. Rinaldi questioned whether or not the structure is safe based off the last Council meeting it was to be investigated. Mr. Parker stated a letter was sent to the UCC code inspector and the inspector is willing to perform the service but could only do it by viewing it from the right-away line since we have no approval from the property owner. Mr. Parker did state the zoning and subdivision ordinances can help with allowing the Borough to notify the property owner in aiding to complete the inspection.

TREASURER'S REPORT AND BILL APPROVAL: Mr. Hughes reported on the checking account balances with comparisons to last month and last year. Mr. Hughes noted the FNCB CD #200278057 was renewed at 1.31% with a maturity date of 6/23/20. The Treasurer's report was presented by Mr. Hughes and filed for audit. Current fund balances are as follows:

General Fund Checking	\$	239,670.34
General Fund Money Market		35,282.86
Capital Fund Money Market		128,365.73
Sewer Fund Checking		329,307.71
Sewer Fund Money Market		34,996.92
Sewer – FNCB CD #200278057		51,380.36
Sewer – FNCB CD #200469681		50,000.00
Sewer – Wayne Bank CD		51,091.73
State Funds Checking		<u>112,719.95</u>
Total Checking/Savings	\$	1,032,815.60

Mr. Hughes presented the Budget vs. Actual report comparing balances on the report to amounts from last year. Mr. Hughes told Council the total income compared to a year ago is down \$10,000 contributable to permit fees. Mr. Hughes reported total expenses are up by \$73,000 primarily due to the fact we did more paving this year. Mr. Hughes stated our bottom line is down by \$83,000 but we still operated with a positive net income of \$77,789. With no questions from Council Mr. Hughes motioned, seconded by Ms. Igoe 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. Dr. Cochran absent (no communication via phone 7:40 P.M.) from vote. Mr. Hughes told Council the Borough has collected \$3,105 in sewer delinquencies. Mr. Hughes told Council eighteen (18) letters will be sent out to the sewer delinquent properties and those letters will include certified letters for the newly delinquent sewer properties by January 28th. Mr. Rinaldi told Mr. Hughes account 0044 has a significant delinquent amount owed noting this property sold at \$400,000 and we have sent them plenty of letters. Mr. Rinaldi stated this property needs to be put on lien. Mr. Hughes stated if the property has a mortgage we will send a letter to the mortgagee and if no response place a lien on the property. Ms. Igoe suggested to start putting the delinquent names in the paper and Mr. Rinaldi suggested possibility doing what the Clark Summit implements on their delinquent sewer accounts.

ARWA: Mr. Rinaldi reported on the reorganization meeting for ARWA. He stated the officers were elected along with appointments. Mr. Rinaldi told Council with a unanimous vote he was re-elected as chairman for the second consecutive year to which he is very humble to accept this privilege. Mr. Rinaldi informed Council a new engineering firm had been appointed naming GHD Group Engineering Company noting its appointment replaced fifteen (15) year association with Gannet Fleming. Mr. Rinaldi reported that a brief discussion followed dealing with the Authority's insurance coverage and a report was given from the firm of Knowles Associates which included minor increases in premiums in property and workers' compensation premiums. Mr. Hughes thanked Mr. Rinaldi for his leadership and the reduction of sewer payments to ARWA. Mr. Barrasse and all of Council expressed their congratulations.

BUILDING & GROUNDS: Mr. Toms motioned to donate \$100.00 to Clarks Green Shade Tree Commission to show appreciation for the planting of a (replacement) Borough tree, seconded by Ms. Igoe. Ms. Igoe, Mr. Toms, Mr. Rinaldi, Mr. Hughes, Mr. Williams and Mr. Barrasse voted in favor. Mr. Toms stated he had placed a call to the former Mayor for the information concerning the awnings. Mr. Toms reported the ramps will be fixed in the spring.

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

PERSONNEL: Mr. Williams reported Paula Thompson will be working Monday and Wednesday 9 A.M. to 2 P.M. and will still be available for fill in for the secretary/treasurer when needed. Mr. Rinaldi asked for the reason for the change of hours since Council had set the hours. Mr. Williams stated he was contacted by Mrs. Thompson who requested her hours be changed and he had talked with the personnel committee. Mr. Williams motioned to change the hours of Mrs. Paula Thompson from 9 A.M to 2 P.M. for the days of Monday and Wednesday with the provision that she will still be available to fill in for Ms. Culbertson as needed as per the original agreement, seconded by Mr. Hughes. Mr. Williams, Ms. Igoe, Mr. Rinaldi, Mr. Toms, Mr. Hughes and Mr. Barrasse voted in favor. Mr. Rinaldi asked about the committee assignments since no assignments were appointed at the Reorganization Meeting. President Barrasse stated he did discuss the assignments with a few of the Council members but he has not talked with all members so at the moment the same assignments will prevail. President Barrasse stated under new business he will make final committee assignments thanking Mr. Rinaldi for clearing this up.

HEALTH & SAFETY: Mr. Rinaldi in behalf of the Health & Safety Committee in the absence of Dr. Cochran stated there is no report for this meeting.

OLD BUSINESS: Mr. Williams thanked everyone for coming to the meeting showing their interest in the Abington Senior Center. Mr. Barrasse gave a brief overview of Abington Senior Center and noted at the October 2019 meeting Clarks Green Council was of the understanding the original lease could be continued at a month-to-month basis as quoted by Mr. Kavulich. Mr. Barrasse believes Council needs to take sufficient time to ensure the Borough doesn't take on more financial responsibility. Mr. Barrasse stated Clarks Green was not holding up the transition but rather, doing our due diligence. If the Area of Aging goes back on its contract, I'm concerned we will need to raise taxes. Mr. Barrasse noted that Clarks Green Borough has nothing to do with the closing of the senior center and the other municipalities are putting pressure on Clarks Green to vote in favor of terminating its lease and giving control of the center to the recreation board. Mr. Barrasse said, "Clarks Green has a unique position in that it cannot raise revenues by expanding". Mr. Rinaldi read legislation that Council passed November 14, 2019. Mr. Rinaldi motioned to set forth the position of Clarks Green Borough on Clarks Summit Borough's request to approve cancellation of CSB's lease agreement with the AAJRB for the site and expanding AAJRB's duty to allow it to administer the site. CGB will refrain from considering the approval of CSB and the AAJRB requests until the following are actions are completed and formalized:

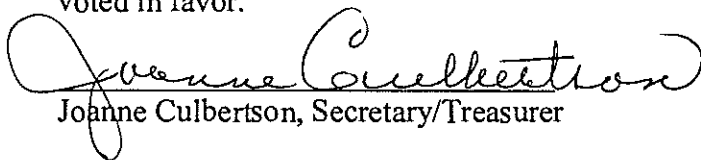
1. Receive the final position of Lackawanna County Area Agency on Aging on what entity will administer the grant funding for the Senior Center;
2. Proper financials setting the costs incurred by CSB for the last five (5) years consisting of individual year Profit and Loss Statement for each year necessary for Council completing its due diligence in deciding if the requests are in the best interests of Clarks green Borough; and
3. The position of Council set forth in this legislation shall be transmitted to other four members of the joint municipalities.

Mr. Rinaldi stated he was glad to have the opportunity to discuss this with the community noting since passing this legislation no communication/action had taken place. Mr. Hughes stated the Clarks Green Borough is being wrongly blamed for the closing of the senior center noting two (2) other entities did. Mr. Hughes stated Clarks Summit defaulted on a 99-year lease and the Lackawanna County Area Agency

terminated its contract with Telespond for the operation of the senior center. Mr. Hughes reiterated the fact that Jason Kavulich stated at the October work session that he could extend the contract by a month-to-month basis, plus, noting the Abington Senior Center is the best run in the County but he chose not to noting "why". Mr. Hughes talked about his meeting with the senior center's director expressing how the attacks upon are her were offensive and fabricated. Mr. Hughes further talked about his physical inspection of the both buildings (senior center & generator) noting very imminent concerns especially the twenty-five (25) year old roof. Mr. Hughes discussed AAJRB by stating they do a fine job operating a seasonal park but they will be operating a 12 month operation with volunteer help and expressed his concern that this will bring about huge potential in liability. Mr. Toms stated he agrees volunteers are not always available when needed. Mr. Toms feels if the recreation board wants to run the facility they should take full responsibility. Ms. Igoe stated her feelings are quite different. Ms. Igoe stated speaking as an individual who uses the center I see the need and I want the center open as soon as possible. I am also uncomfortable having volunteers run the facility, but I would never have had the senior center closed. Ms. Igoe stated I am in favor of approving the transfer to reopen the center. Mr. Rinaldi added to Mr. Hughes comments concerning the meeting in October with Mr. Kavulich noting Mr. Kavulich was adamant that he was going to terminate the contract with Telespond October 31, 2019 and then was going to RFQ for organizations who wanted to be the administrator of the funds noting this had never happened, the County never told us the situation had changed. Mr. Rinaldi further stated Clarks Green had not been part of any meetings to determine the best interests for Clarks Green and the Abington area seniors. Mr. Rinaldi talked about the RACP grant that helped to fund Hillside Park improvements noting how Mr. Hughes involvement helped protect the five (5) member municipalities. Mayor McGraw reiterated the issue of the center being operated with volunteers and the need for the missing documents requested along with time to review the necessary information. Mr. Williams also stated the original scenario that was set by the County was to requests RFQs. Solicitor Weinschenk confirmed that the information that was requested from the November meeting has not been provided. The blame for this whole situation rests with Clarks Summit Borough not Clarks Green noting he totally is in agreement with Council.

NEW BUSINESS: President Barrasse told Council they will be keeping the same committees as last year naming Dr. Terry Cochran as the Health and Safety chair. President Barrasse named Mr. Rinaldi the DPW chair noting they need a strong individual to oversee the Borough's DPW projects plus, stay on the Health and Safety committee to assist Dr. Cochran. President Barrasse told Council he is open to suggestions and willing to make changes if necessary. President Barrasse stated the ad hoc Grant committee is still actively involved.

MOTION FOR ADJOURNMENT: Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Hughes motioned, seconded by Mr. Williams to adjourn the meeting at 9:02 P.M. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
Agenda

January 15, 2020

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE-** President Joe Barrasse will attend by Phone Conference Meeting to be run by Vice President Keith Williams
2. **ROLL CALL** – Secretary Joanne Culbertson
3. **MOTION TO ACCEPT MINUTES** – December 4 and January 6, 2020
4. **PUBLIC COMMENT**
Visitors should approach the podium and state their name and address. Comments limited to 3 min.
Senior Center Discussion and/or Vote
5. **LACKAWANNA COUNTY REPORT -**
6. **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
7. **SOLICITOR'S REPORT -** Mr. Weinschenk
8. **PUBLIC WORKS COMMITTEE –**
Zoning Report
9. **TREASURER'S REPORT AND BILL APPROVAL –** Mr. Hughes
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
15. **PERSONNEL COMMITTEE–** Mr. Williams
16. **OLD BUSINESS**
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.