

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
AUGUST 19, 2020**

CALL TO ORDER: President Barrasse called the meeting of the Clarks Green Council to order at 7:01 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. Williams, Mr. Barrasse, Mayor McGraw and Solicitor Weinschenk. Dr. Cochran joined the meeting at 7:25 P.M.

ABSENT: Mr. Toms.

APPROVAL OF MINUTES: President Barrasse entertained the motion to accept the minutes of the June 17, 2020 Council meeting. Mr. Hughes motioned, seconded by Mr. Rinaldi. Mr. Williams, Ms. Igoe, Mr. Hughes, Mr. Rinaldi and Mr. Barrasse voted in favor. President Barrasse entertained the motion to accept the minutes of the July 15, 2020 Council meeting. Mr. Rinaldi motioned, seconded by Ms. Igoe. Mr. Rinaldi, Mr. Hughes, Ms. Igoe, Mr. Williams and Mr. Barrasse voted in favor. President Barrasse entertained the motion to accept the minutes of the May 20, 2020 Council meeting. Mr. Rinaldi motioned, seconded by Mr. Hughes. Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

VISITORS: Ben Freda, Abington Journal, George Parker, Clarks Green Zoning officer, CSPD Chief Yarns, Leah Rosenkrans, partner at Murphy, Dougherty & Co. and Christina Wolfe.

PUBLIC COMMENT: Leah Rosenkrans, partner at Murphy, Dougherty & Co. presented the 2019 Audit to Council. Ms. Rosenkrans told Council it is their responsibility to express opinions on the financial statements based on the audit. We conduct our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require Auditors to plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. Ms. Rosenkrans stated Clarks Green Borough has not recorded certain general infrastructure assets in governmental activities and, according, has not recorded depreciation expense on those assets noting that the Borough size and from a cost benefit standpoint the Auditors do not recommend it nor is it necessary. Ms. Rosenkrans gave a brief review of the financial highlights stating the Borough is fiscally sound. For the year ended December 31, 2019, the Borough reported for the sewer fund an ending net position balance of \$748,595, an increase of \$72,380. The most significant portion of the Borough's net position balance is the capital assets of \$162,429 along with the Borough's net position includes cash of \$518,366. During the year the Borough had budgeted to receive \$585,617 in revenue but actually received \$632,137 a surplus of \$46,520. On the expenditure side of the budget the Borough was \$42,309 over budget. This was mainly due to the public works – road expenses. Overall the budget was favorable by \$4,211. The Borough anticipated decreasing the fund balance by \$30,802 but actually increased it by \$4,211. This was possible due to receiving grant proceeds not included in the budget. Mr. Hughes thanked Ms. Rosenkrans and her staff for the meticulous and conscientious review of Clarks Green Borough's books and records stating it is a pleasure working with them for the past nine (9) years. Mr. Hughes motioned to accept the 2019 Audit, seconded by Mrs. Igoe. Dr. Cochran, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

MAYOR'S REPORT: Mayor McGraw reported he had a call from a property owner on Evans St. concerning a developer noting it involved two (2) properties and their property lines, Mayor McGraw

told Council he advised the property owners they will need to work this out amongst themselves. Chief Yarns told Council it was a relatively quiet month briefly reviewing the monthly police report. Chief Yarns informed Council of the accident involving a bicycle at Brighton Drive and Old Orchard Road noting it is undetermined who ran the stop sign since there are no witnesses except the individuals who were involved in the accident. Chief Yarns reported to Council that Clarks Summit Borough approved the purchase of body cameras for the police officers but it will be approximately another month before they are instituted. Chief Yarns told Council they had hired a company to help with their policy manual plus provide training to the police officers online. Chief Yarns informed Council the Aggressive Driving grant is still being used for speed enforcement within the Borough. Mr. Rinaldi asked if he heard anything concerning Abington Heights School District and the school buses. Chief Yarns stated he has not heard anything officially as of yet but did state OLP will be having classes. Chief Yarns told Council the department is practicing safety by having the officers temperature checked when reporting for their shift along with sanitizing the offices and cars.

SOLICITOR'S REPORT: Solicitor Weinschenk introduced to Council the Cooperation Agreement along with Resolution No. 5 of 2020. Solicitor Weinschenk told Council in order to receive funds under COVID-19 County Relief Block Grant the Borough is required to enter into a cooperation Agreement with Lackawanna County.

RESOLUTION No. 5 of 2020

BOROUGH OF CLARKS GREEN
LACKAWANNA COUNTY, PENNSYLVANIA

WHEREAS, the Borough of Clarks Green has incurred certain expenses as a result of COVID-19 in connection with the general operations of the Borough; and

WHEREAS, the Borough desires to receive funds under the COVID-19 County Relief Block Grant; and

WHEREAS, in order to receive such grant funds, the Borough is required to enter into a cooperation Agreement with the County of Lackawanna.

NOW THEREFORE, BE IT RESOLVED, that the Borough of Clarks Green is hereby authorized to enter into a Cooperation Agreement with the County of Lackawanna for the funding of the Covid-19 County Relief Block Grant substantially in the form of Exhibit A attached to this Resolution.

ADOPTED at a regular meeting of the Clarks Green Borough Council held on the 19th day of August, 2020.

(Note: Exhibit A Cooperation Agreement is available at the Municipal building for review)

ATTEST:

BOROUGH OF CLARKS GREEN

/s/ Joanne Culbertson
Secretary,

By: /s/ Joseph Barrasse
President

APPROVED AS TO FORM AND LEGALITY

/s/ Alfred J. Weinschenk
SOLICITOR

Dr. Cochran motioned to adopt Resolution No. 5 of 2020, seconded by Mr. Williams. Dr. Cochran, Mr. Rinaldi, Ms. Igoe, Mr. Hughes, Mr. Williams and Mr. Barrasse voted in favor. Solicitor Weinschenk reported on the letter from resident Earley noting he had circulated to all members of Council regarding certain residents were not participating as required in the refuse payment and pickup from the Borough's contracted trash hauler. Ms. Igoe stated this is a personal matter between Mr. Earley and a resident and County Waste is responsible in collection of payments not the Borough. Solicitor Weinschenk told Council the Borough has an Ordinance requiring all residents must use the Borough's trash hauler, County Waste and this needs to be enforced. Solicitor Weinschenk explained there probably are a few residents who are not participating and you cannot single out a single resident. Solicitor Weinschenk stated a few months back this had arisen and we received a participating list from County Waste which needed to be reviewed to know who is not paying. Solicitor Weinschenk and Ms. Igoe had a brief discussion regarding the list. Mr. Barrasse asked Solicitor Weinschenk to verify how other Boroughs' handle this situation in regard to enforcement. Mr. Barrasse told Council since we have a complaint from Mr. Earley we will need to respond and that we should contact County Waste to check on availability on obtaining the pertinent information needed to verify the residents serviced by County Waste within the Borough. Solicitor Weinschenk suggested someone to drive around the Borough on several Friday's to see who have refuse cans out that will be a good indication that they are not paying County Waste. Mr. Barrasse asked if possibly the Borough can supply list of street addresses for the DPW and they can check on who places trash cans out for several weeks. Mr. Rinaldi stated that is not the job of the DPW. Mr. Rinaldi told Council he has very strong opinions on this issue. Mr. Rinaldi stated a year ago we had a specific complaint and action was taken by Council noting the specific resident in question had an account. Mr. Rinaldi asked Council what new or additional evidence did Mr. Earley provide since the last time he made the identical complaint and if there is Council will take action. Mr. Rinaldi asked why Council will revisit this complaint besides embarrass other residents with no additional evidence something Council has refused to do with sewer delinquencies. Mr. Rinaldi also reminded Solicitor Weinschenk that other ordinances are not enforced by the Borough citing the Solicitor's dismissal of enforcing the sidewalk ordinance violations. Mayor McGraw stated there can be other possibilities and ask about the wording of the Ordinance. All of Council agreed a notification concerning refuse and recycling collections will be printed on the next sewer billing. More discussion took place concerning the repercussions if residents are not using County Waste and the future refuse and recycling bid proposals. Mr. Barrasse stated Council really should look at re-bidding our current refuse and recycling contract because of the future increases anticipated at the end of the current contract by using the escape clause. Mr. Barrasse stated a letter will be formulated to respond to Mr. Earley. Mr. Rinaldi stated he would like to know what the response will be and have Council authorize the letter by voting. Solicitor Weinschenk asked Mr. Rinaldi when the remaining crosswalks will be painted. Mr. Rinaldi stated the remainder will be painted in September and PennDot needs to repaint the crosswalks on Abington Road which were covered in the last resurfacing. Solicitor Weinschenk noted this project involves safety and should be given a priority.

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	\$	352,183.59
Capital Fund Money Market		159,405.30
Sewer Fund Checking		391,562.00
Sewer – FNCB CD #200278057		51,715.99
Sewer – FNCB CD #200469681		50,000.00
Sewer – Wayne Bank CD		52,384.37
State Funds Checking		<u>162,252.59</u>
Total Checking/Savings	\$	1,219,503.84

Mr. Hughes reported the General Funding checking account is down \$51,000 from last year keep in mind we transferred the General Fund Money Market account of \$35,000. The Capital Account is up by receipt of the Green Light Go reimbursement of approximately \$30,000. Mr. Hughes stated the Sewer Fund checking account is up by \$35,000 reflecting the transfer deposit from the Sewer Fund Money Market account. Mr. Hughes presented the Budget vs. Actual report comparing balances on the report to amounts from last year. Mr. Hughes reported total expenses have increased from a year ago by \$58,000. Mr. Hughes told Council net income is up by \$34,000 contributable to the delivery of the first truck. With no questions from Council Mr. Hughes motioned, seconded by Mr. Rinaldi to accept the Treasurer's report and ratify the payment of the bills. Dr. Cochran, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Hughes told Council the Finance committee is recommending a donation of \$1,500 to the Clarks Summit Fire Company and a contribution to the Abington Community Library in the amount of \$2,000 noting it is a budgeted amount. Mr. Hughes motioned on the recommendations, seconded by Ms. Igoe. Mr. Williams, Dr. Cochran, Mr. Hughes, Mr. Rinaldi, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Hughes motioned to file a lien on the Phillip's property account #279 providing no payment has been received by August 31, 2020, seconded by Mr. Rinaldi. Dr. Cochran, Ms. Igoe, Mr. Rinaldi, Mr. Williams, Mr. Hughes and Mr. Barrasse voted in favor. Mr. Hughes motioned to accept the proposed engagement letter from Murphy, Dougherty and Company for the next three (3) years, the fee for the first year 2020 in the amount of \$7,250, 2021 the amount of \$7,500 and 2022 the amount of \$7,750 noting the first year is what we had paid in 2019, seconded by Mr. Rinaldi. Ms. Igoe, Dr. Cochran, Mr. Williams, Mr. Rinaldi, Mr. Hughes and Mr. Barrasse voted in favor.

PUBLIC WORKS: Mr. Rinaldi thanked the Borough's engineers, Colwell & Naegele for putting together the Clarks Green 2020 Paving Project bid package along with Solicitor Weinschenk for his review of the documents prior to the publication and the submitted bid proposals. Mr. Rinaldi stated there were five (5) bids that had been submitted and open at the work session held on August 5th. The Borough engineers after review are recommending to award the bid to Wayco. Mr. Rinaldi motioned to award the 2020 Paving Project to Wayco Inc. in which the base bid was in the amount of \$27,397 with four (4) alternates: alternate one, a portion of Cook St., \$11,390.05; alternate two, a portion of Green St. \$24,431.60; alternate three, Park Avenue, \$16,678; alternate four, Vassar Ave. and Fairview Road in the amount of \$7,765 making the total amount for the paving project at the cost of \$87,661.65. Ms. Igoe seconded the motion. Mr. Rinaldi, Mr. Hughes, Mr. Williams, Dr. Cochran, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Rinaldi told Council when the paving was done at Crest, Gordon and Short Hill Drive the Borough requested a certain type of manhole riser instead of adjustable casting risers used by PAWC. PAWC sent the Borough an invoice for the cost of the four (4) solid risers at a cost of \$158 each. Mr. Rinaldi motioned to reimburse PAWC for the four (4) solid risers by paying the difference at \$47 per each riser totaling \$188 since the adjustable casting risers were \$118 each. Mr. Hughes seconded the motion. Mr. Hughes, Mr. Rinaldi, Dr. Cochran, Ms. Igoe, Mr. Williams and Mr. Barrasse voted in favor. Mr. Rinaldi reported to Council work still needs to be completed at

Crest, Gordon and Short Hill Drive consisting of cleaning out the catch basins, tarring the seams between new pavement and existing driveways along with restoring the yards of residents due to installing service lines. Mr. Rinaldi told Council he had received a letter from a mother of a resident residing at 103 Yale Boulevard noting the Zoning officer, Mr. Parker is aware of it. Mr. Rinaldi stated she had submitted an invoice for the replacement of sewer main and lateral at the cost of \$3,200 noting the contractor was the owner's father. Mr. Rinaldi told Council this property is the last property that connects to the sewer line noting the Borough Engineers, Mr. Parker, the resident's father along with the property owner and himself met and was established absolutely no repair was done to Clarks Green Borough's sewer system. Mr. Rinaldi told Council the contractor installed a new lateral. Mr. Rinaldi stated it is not the Borough's responsibility and noted the connection of the new lateral was done without the required permit. Mr. Parker stated the contractor provided him with the photographs of the work that was done. Mr. Rinaldi asked for Council's pleasure as to what the Borough is responsible for in response to payment. Mr. Barrasse stated Mr. Rinaldi or Mr. Parker should respond plus cite them for not getting a permit then access them for the permit. Mr. Barrasse told Council he is getting frustrated with people not getting the required permits. Mr. Rinaldi stated he will respond with the assistance from Mr. Parker.

GEORGE PARKER, ZONING OFFICER REPORT: Mr. Parker had nothing to report other than his monthly distributed report which generated no questions from Council.

ARWA: Mr. Rinaldi reported all ten (10) employees have participated in first aid and life support training and are certified for two (2) years noting the Board thought it would be a good idea based on activities of the plant. Mr. Rinaldi informed Council the debt of \$750,000 had been paid off from the 2013 and 2014 financing of the plant's renovation. Mr. Rinaldi reported the GHD engineers are in the process of doing the annual inspection of the property. Mr. Rinaldi informed Council the Board voted to purchase a sewer camera (CUES C550c system) at a cost of \$74,810 from a COSTAR company named CUES with an expected six (6) week delivery. Mr. Rinaldi told Council ARWA is proposing to provide camera services for the three (3) joint municipalities manned by ARWA employee noting cost has not been determined.

REFUSE & RECYCLING: Ms. Igoe talked briefly about the trash ordinance and the violations in question. Solicitor Weinschenk stated he will review the Ordinance but noted it does state that all residents shall use the Borough's contracted trash hauler. Mr. Hughes stated a workable list was provided by County Waste last year to aid in the investigation on who in the Borough is not using County Waste and not paying. Ms. Igoe disagreed and stated everyone is entitled to their own opinion. Ms. Igoe reported on a dead deer located on South Abington Road and in the process of getting removed. Ms. Igoe reminded all of Council of the upcoming annual leaf bag distribution. Mr. Rinaldi informed Council the Lackawanna Recycling Center will be accepting the recyclable leaf bags without a fee but if bags contain items other than leaves the municipalities will be charged for their full load. Mr. Rinaldi stated the DPW crew cannot open up bags verifying compliance. Mr. Rinaldi told Council our residents need to be reminded to only placing leaves in the leaf bags and the possible financial burden they will be placing on their community if they are in noncompliance. Ms. Igoe stated the sewer billing can be used to notify our residents on this issue along with a mailing.

HEALTH & SAFETY: Dr. Cochran informed Council he had a safety complaint concerning the area between Possum and Fairview Roads and stated there are a few shallow potholes he spotted after checking out area. Mr. Rinaldi stated these will be taken care with the 2020 Paving Project which he had also informed the resident from her previous complaints noting the area will need to be resurfaced not just fill the potholes. Dr. Cochran told Council another complaint was submitted concerning the traffic light thinking if COVID goes away traffic will be heavy on Fairview Road. Dr. Cochran stated he does not think there will be any more traffic and feels there is nothing to be done right now. Mr. Barrasse stated an earlier study showed it was not beneficial for a traffic light at the end of Fairview

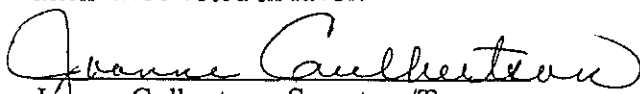
Road at that point of time. Ms. Igoe stated there is certainly a need now. A brief discussion took place concerning the possibility of a traffic light at the end of Fairview Road along with pass history why a traffic light was not feasible between Mr. Barrasse, Mr. Williams and Solicitor Weinschenk. Mr. Rinaldi stated the Borough's engineers have their own traffic engineer and the Borough can have them look into it if that is the pleasure of Council.

PERSONNEL: Mr. Williams read the drafted Holiday Pay Policy. If a paid holiday falls on a Saturday, eligible employees will receive a paid day off on the Friday immediately preceding the Saturday. If a paid holiday falls on a Sunday, eligible employees will receive a paid day off on the Monday immediately following the Sunday. In years in which Christmas falls on a Saturday, eligible employees will have a paid day off on the preceding Friday and take a half day (close at 1:00 PM) on the preceding Thursday. In years in which Christmas falls on a Sunday, eligible employees will have a paid day off on the following Monday and take a half day (close at 1:00 PM) on the preceding Friday. Part Time Employees will receive Holiday pay only if the Borough recognized holiday falls on the employee's regularly scheduled work day. Mr. Williams motioned to approve the Holiday Pay Policy and incorporate it into the existing policy, seconded by Dr. Cochran. Mr. Williams, Ms. Igoe, Dr. Cochran, Mr. Rinaldi, Mr. Hughes and Mr. Barrasse voted in favor.

BUILDING AND GROUNDS: No report.

OLD BUSINESS: Mr. Barrasse announced the Borough has received the grant check for the trucks in the amount of \$33,000. Mr. Barrasse stated he takes great pride in the fact that we received two (2) nice grants this year in the amount of \$30,000 and \$33,000 noting I don't think they could've come at a better year. Mr. Barrasse informed Council more expenditures will be coming with the new trucks. Mr. Rinaldi informed Council the SAPA committee had a virtual meeting on August 11th which he, Mr. Parker, Solicitor Weinschenk and Mr. Williams participated. Mr. Rinaldi informed Council as a Borough we are entitled to have one (1) more meeting either virtual or in person with the consultants on the Borough's ordinances. Mr. Rinaldi told Council the grant that pays for the consultant has been extended by DCED to June of next year due to the COVID pandemic. Mr. Parker told Council we need to know if we can change the ordinance anytime since not all items are suitable to Clarks Green Borough before it is adopted. Mr. Parker gave an example such as farm livestock doesn't stipulate the size of the property. Ms. Igoe asked about the future Borough's Council meetings if they will held virtually or at the Borough building since other municipalities are conducting them in person. Dr. Cochran stated he thinks it is too early to conduct the meetings in person noting he expects an increase of virus cases when fall moves in. Mr. Barrasse stated a decision has not been made on how the meetings will be conducted but will definitely take her input. Mr. Barrasse stated it has always been the intent of Council to air on the side of caution noting he is not sure how we can do social distancing in the Borough's chamber along with providing social distancing seating for the public. Mr. Rinaldi and Ms. Igoe disagreed.

MOTION FOR ADJOURNMENT: Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Hughes motioned, seconded by Dr. Cochran to adjourn the meeting at 8:57 P.M. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
Agenda
VIA ZOOM

August 19th, 2020

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE-** President Joe Barrasse
2. **ROLL CALL** -Secretary Joanne Culbertson
3. **MOTION TO ACCEPT MINUTES** –
4. **MAYOR's Report-** Mayor McGraw.
Police Report- Clarks Summit Chief Chris Yarns
Clarks Summit Fire Co. President Mike Lukus, Chief Jay Miller, EMS Corey Colarossi
5. **PUBLIC COMMENT**
Visitors should approach the podium and state their name and address. Comments limited to 5 min
6. **2019 Audit Report** –Leah Rosenkrans CPA, Murphy Dougherty & Co.
7. **SOLICITOR'S REPORT-** Mr. Weinschenk
8. **TREASURER'S REPORT AND BILL APPROVAL** – Mr. Hughes
9. **FINANCE COMMITTEE** – Payments, & Sewer Account Delinquencies
Lien on #279; Donation's to CS Fire Co. & Abington Library
10. **PUBLIC WORKS COMMITTEE** – Mr. Rinaldi
Paving Bid recommendation and vote
Zoning Report- Mr. Parker
11. **ARWA-** Mr. Rinaldi
12. **REFUSE & RECYCLING COMMITTEE**– Ms. Igoe
13. **HEALTH & SAFETY COMMITTEE-** Dr. Coehran
14. **PERSONNEL COMMITTEE**– Mr. Williams
Holiday Policy for Employee's
15. **House Committee-** Mr. Toms
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.