

**CLARKS GREEN BOROUGH  
COUNCIL MINUTES  
APRIL 21, 2021**

**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, Dr. Cochran, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Barrasse, and Solicitor Weinschenk. Mr. Toms had experienced technical difficulties throughout the meeting.

**APPROVAL OF MINUTES:** President Barrasse entertained the motion to accept the minutes of the March 17, 2021 Council meeting. Dr. Cochran motioned, seconded by Mr. Rinaldi. Mr. Williams, Ms. Igoe, Mr. Hughes, Dr. Cochran, Mr. Rinaldi and Mr. Barrasse voted in favor.

**VISITORS:** George Parker, Clarks Green Zoning Officer, Ben Freda, Abington Journal, Valerie Cerra, Lesson Alive and CSPD Chief Yarns.

**PUBLIC COMMENT:** No public comment.

**MAYOR'S REPORT:** Mayor McGraw announced the Zoning Public Hearing will be held April 29<sup>th</sup> concerning the old gas station, 101 N. Abington Road and a Planning Commission meeting will be scheduled in the near future. Chief Yarns stated it was a fairly quiet month and briefly reviewed the monthly report. Chief Yarns informed Council that the Dalton Police Chief, James Gray had passed away noting he was a former Police Chief for Clarks Green Borough when they had their own police department many years ago. Chief Yarns reported the body camera policy has been developed and will be ordering the cameras shortly along with the purchase of a wireless server. Chief Yarns reported they are in the process of re-painting the vascar lines on the streets which aid in monitoring speeding in the Borough. Chief Yarns told Council the Aggressive Drive Program is still taking place ending April 25<sup>th</sup>. Chief Yarns reported that several part-time officers had been hired and anticipate a full-time officer will be hired within a few months. Dr. Cochran asked Chief Yarns or if any of the other officers has had difficulties with the defund police movement. Chief Yarns stated no the Abington residents don't dislike us.

**SOLICITOR'S REPORT:** Solicitor Weinschenk introduced Ordinance No.1 of 2021, mentioning that there were no comments about it during the public hearing, which was held prior to this meeting. Solicitor Weinschenk credited Mr. Parker, Mr. Rinaldi and Mr. Williams for their work in finalizing the new SAPA Zoning Ordinance.

**ORDINANCE NO. 1 OF 2021  
BOROUGH OF CLARKS GREEN  
LACKAWANNA COUNTY, PENNSYLVANIA**

**AN ORDINANCE ESTABLISHING REGULATIONS AND RESTRICTIONS FOR THE LOCATION AND USE OF LOTS, LAND, BUILDINGS, AND OTHER STRUCTURES; THE HEIGHT, NUMBER OF STORIES, AND SIZE AND BULK OF BUILDINGS AND STRUCTURES; THE DENSITY OF POPULATION; OFF-STREET PARKING; AND SIMILAR ACCESSORY REGULATIONS IN CLARKS GREEN BOROUGH, LACKAWANNA COUNTY, PENNSYLVANIA, AND FOR SAID PURPOSES DIVIDING CLARKS GREEN BOROUGH INTO DISTRICTS AND ESTABLISHING THE BOUNDRIES THEREOF, PRESCRIBING CERTAIN UNIFORM REGULATIONS FOR EACH SUCH DISTRICT, AND**

**PROVIDING FOR ADMINISTRATIVE ENFORCEMENT AND AMENDMENT OF ITS PROVISIONS IN ACCORDANCE WITH THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE (MPC), 53 P.S. 10101 ET SEQ., AS AMENDED AND ALSO REPLACING IN ITS ENTIRETY CHAPTER 27 OF THE BOROUGH OF CLARKS GREEN CODE OF ORDINANCES PERTAINING TO ZONING.**

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**WHEREAS**, Chapter 27 of the Borough of Clarks Green Code of Ordinances (the “Code”) provides rules and regulations pertaining to zoning for properties in the Borough of Clarks Green; and

**WHEREAS**, the Borough of Clarks Green desires to replace Chapter 27 of the Code in its entirety with the provisions attached hereto as Exhibit A.

**NOW THEREFORE**, be it ordained by the Borough Council of the Borough of Clarks Green, Lackawanna County, Pennsylvania, that Chapter 27, ZONING is hereby amended and replaced in its entirety with the provisions attached hereto as Exhibit A.

**THIS ORDINANCE DULY ORDAINED AND ENACTED** by the Council of the Borough of Clarks Green this 21<sup>st</sup> day of April, 2021

In accordance with the 2021 Scranton-Abingtons Planning Association (SAPA) agreement, the effective implementation date of this Ordinance shall be upon the latest date of Zoning Ordinance adoption as conducted by all of the nine participating SAPA municipalities.

ATTEST:

BOROUGH OF CLARKS GREEN

/s/Joanne Culbertson  
Joanne Culbertson, Borough Secretary

/s/ Joseph Barrasse  
Joseph Barrasse, Council President

APPROVED:

/s/ Kenneth McGraw  
Kenneth McGraw, Mayor

Mr. Rinaldi motioned to accept Ordinance No. 1 of 2021, seconded by Mr. Williams. Dr. Cochran, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor. Mr. Barrasse stated Council owes a debt of gratitude to Mr. Rinaldi, Mr. Williams, Mr. Parker and Solicitor Weinschenk for their work. Mr. Rinaldi acknowledged former Councilwoman Lynne Earley for being instrumental in getting Clarks Green involved with SAPA. Mr. Barrasse said, “it’s been a long time coming, great job and Clarks Green will benefit tremendously”. Solicitor Weinschenk read Resolution No. 3 of 2021.

**BOROUGH OF CLARKS GREEN  
LACKAWANNA COUNTY, PENNSYLVANIA  
RESOLUTION No. 3 of 2021**

THIS RESOLUTION is made the 21st day of April, 2021, by the Council of the Borough of Clarks Green to establish fees for wireless communications facilities both inside and outside the public rights-of-way.

RESOLVED, that the following fees are hereby established for Wireless Communication Facilities to be located in the Borough:

Wireless Communications Facilities Fee Schedule

Applications

Non-Tower WCF	\$1,000
Small WCF (Collocated)	\$500 for up to five (5) Small WCFs in single application, \$100 for each Small WCF thereafter in same application
Small WCF (Requiring new/replacement wireless support structure)	\$1,000
Tower-Based WCF	

Annual Fees

ROW Use Fee (per WCF)	\$270
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APPROVED the 21st day of April 5, 2021 by the Council of the Borough of Clarks Green, Lackawanna County, Pennsylvania effective on the effective date of the Borough's 2021 Zoning Ordinance.

ATTEST:  
/s/Joanne Culbertson  
Joanne Culbertson, Secretary

CLARKS GREEN BOROUGH COUNCIL:  
/s/Joseph Barrasse  
Joseph Barrasse, President

Approved this 21st day of April, 2021  
/s/Kenneth McGraw  
Kenneth McGraw, Mayor

Mr. Williams motioned to approve Resolution No.3 of 2021, seconded by Mr. Rinaldi. Dr. Cochran, Mr. Rinaldi, Ms. Igoe, Mr. Hughes, Mr. Williams and Mr. Barrasse voted in favor. Solicitor Weinschenk introduced Resolution No. 4 of 2021.

**CLARKS GREEN BOROUGH  
LACKAWANNA COUNTY, PENNSYLVANIA  
RESOLUTION NO. 4 OF 2021**

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**WHEREAS**, The Borough Council of Clarks Green has decided that it is in its best interest to adopt a revised and updated Zoning Ordinance (the "2021 Zoning Ordinance") for the Borough; and

**WHEREAS**, Section 5.21 of the 2021 Zoning Ordinance establishes procedures for the design, siting, construction, installation, maintenance and removal of Non-Tower Wireless Communications Facilities, Small Wireless Communications Facilities, and Tower-Based Wireless Communications Facilities in the Borough, including facilities both inside and outside the public rights-of-way; and

**WHEREAS**, the Borough Council has determined that it is in the best interests of the Borough to adopt certain design standards for Small Wireless Communications Facilities (as defined in the 2021 Zoning Ordinance).

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Clarks Green as follows:

The Borough of Clarks Green hereby adopts the Small Wireless Communications Facility Design Manual a copy of which is attached hereto and marked Exhibit "A".

**ENACTED** this 21<sup>st</sup> day of April, 2021 to be effective on the effective date of the 2021 Zoning Ordinance.

**BOROUGH OF CLARKS GREEN**  
/s/ Joseph Barrasse  
**Joseph Barrasse, Council President**

**ATTEST:**

/s/ Joanne Culbertson  
**Joanne Culbertson, Secretary**

**APPROVED** this 21<sup>st</sup> day of April, 2021  
/s/ Kenneth McGraw  
**Kenneth McGraw, Mayor**

Mr. Rinaldi motioned to adopt Resolution No. 4 of 2021, seconded by Mr. Williams. Mr. Hughes, Dr. Cochran, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

**PUBLIC WORKS:** Mr. Rinaldi reported he is currently working with the Borough Engineers on the bid package to repair the Armstrong Ave. and Evans St. intersection and will have the final recommendations by the May meeting for which Council can decide on what projects will be completed for this year. Mr. Parker, the Zoning Officer discussed the drainage problem at a property at Pineview Circle stating the Borough's engineers reviewed the site and a solution was recommended noting a new drainage system on a new drainage path with an estimate of \$13,106. Mr. Rinaldi suggested to Council that it would be prudent to see the results of the 2021 Paving bids before making a decision on this drainage issue since we are aware of our current budget and the preliminary estimates for paving showed costs over \$100,000. Mr. Rinaldi told Council in the list of priorities the rehabilitation of Evans Street and Armstrong Ave. intersection should take precedence. Mr. Rinaldi stated if there are funds left over Council might consider this as a latter project but reminded Council there are several other areas in the Borough with the same issue and if you fix one will you will need to fix all the other residents' water issues.

**ARWA:** Mr. Rinaldi reported the Authority will be soliciting other vendors for the SCADA monitoring system, ARWA bid its alum contract and noted the other items on the agenda were routine in nature.

**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	\$	366,227.36
Capital Fund Money Market		106,389.00
Sewer Fund Checking		401,227.01
Sewer – FNCB CD #200278057		51,715.99
Sewer – FNCB CD #200469681		51,258.31
Sewer – Wayne Bank CD #80021603		53,047.27
Sewer – Wayne Bank CD #80044088		50,000.00
State Funds Checking		<u>75,931.69</u>
Total Checking/Savings	\$	1,201,710.88

Mr. Hughes reported the State fund account increased by \$45,000 by the Liquid Fuels check we received noting it was down \$4,000 from the previous year. Mr. Hughes reviewed the Certificates of

Deposits stating Certificates mature every three (3) months. Mr. Hughes stated the anticipation is that we will use the funds for the two (2) Stormwater Projects that will cost an estimated amount of \$300,000. Mr. Hughes briefly reviewed the checks that had been written out for the month of March. Mr. Hughes presented the Budget vs. Actual comparing balances on the report to amounts from last year. Mr. Hughes reported Gross Profit is up \$47,000 from last year and half of that is from the miscellaneous income and most of the balance is the additional collection of delinquent sewer bills. Mr. Hughes told Council in regard to expenses there is an increase in sewer by \$23,000 stating camera work was done. Mr. Hughes reported total expense were higher than a year ago by \$7,000. Mr. Hughes told Council net income had increases from \$84,000 to \$123,611. 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. Dr. Cochran, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Rinaldi, and Mr. Barrasse voted in favor. Mr. Hughes briefly reviewed the sewer delinquency report stating \$8,332 has been collected from the delinquencies. Mr. Hughes gave a breakdown on the cost of sewer billings within the Abington municipalities and Mr. Barrasse requested they be included in the minutes:

	Qtr.	Annual
Clarks Green	\$142	\$568
Clarks Summit	\$156	\$624
South Abington Twp.	\$140	\$560
Waverly	\$180	\$720

Mr. Rinaldi informed Council that Waverly is not part of the Abington Regional Wastewater Authority and noted they are in a different watershed. Mr. Rinaldi informed Council of a state-wide allocation of approximately \$138,000 for Clarks Green from the American Rescue Plan noting the Borough should try to take advantage of this allocation. Mr. Barrasse stated he believes it was also advertised in the newspaper and agreed it should be discussed at the next work session. Mr. Barrasse questioned Mr. Rinaldi if the camera work performed can be reimbursed from American Rescue Plan funding and the previous Small Sewer and Water Grant. Mr. Rinaldi stated he was not sure if reimbursement can be done under two (2) grants simultaneously. Mr. Barrasse stated maybe we can check with the Borough engineers.

**BUILDING AND GROUNDS:** Mr. Barrasse told Council he had talked with Mr. Toms earlier and there was nothing to report on building and grounds.

**REFUSE & RECYCLING:** Ms. Igoe reminded Council tomorrow was "Earth Day" encouraging everyone to do their best on recycling. Ms. Igoe asked Mr. Barrasse and Solicitor Weinschenk if they had any more information from County Waste concerning the list of paying Clarks Green customers. Mr. Barrasse stated we are still trying to verify what residents are paying. Mr. Barrasse asked Solicitor Weinschenk if our contract with County Waste makes them inform us when collection of residents' trash was stopped and Ms. Igoe stated Mr. Earley stated there was no provision in the contract stating he had read the Borough's contract. Solicitor Weinschenk stated he will verify the contract and not rely on Mr. Earley.

**HEALTH & SAFETY:** Dr. Cochran had nothing particular with Clarks Green noting there are still a lot of worries with the world. He also noted good news regarding the percentage of vaccinations within our County.

**PERSONNEL:** Mr. Williams reported another employee had been vaccinated with the second shot. Mr. Williams told Council the DPW foreman will be out for the rest of the week on medical leave returning on Monday, April 26<sup>th</sup>.

**OLD BUSINESS:** Mr. Rinaldi asked about the recent email that was received from Courtney Wanchisen in regard to her interest in being a representative for the open position on AAJRB. Mr. Rinaldi felt this might be an opportunity to fill that opening. Mr. Barrasse stated he appreciates it but he has received some interests from a few parties and felt it will be discussed at the next work session. Mr. Rinaldi asked "who are the parties" since he has not seen or received anything from people who are interested in this open position. Mr. Williams stated Ryan Campbell's wife and Sarah Cremer and an active gentleman who already participates at the park. Mr. Barrasse stated it would be beneficial for this Council to make an informed decision noting that AAJRB is looking for an active participating volunteer. Ms. Igoe and Mr. Rinaldi stated Ms. Wanchesen is an active participant including volunteering her services for cleaning up the park.

**NEW BUSINESS:** Mayor McGraw reported a citing of a bobcat in the neighborhood. Mr. Hughes suggested the second truck should be listed for sale. Mr. Hughes briefly reviewed the operation procedures within the Borough noting we have Chairs' for the various departments along with committees and stated as a whole Council enters into contracts by the approval through motions. Mr. Hughes told Council he feels it is not a good idea for individual Council members including himself or any of my colleagues to send out an email that would be unilaterally enter into a contract absent objection from any members. Mr. Hughes stated if we all begin doing this it will deteriorate and degenerate into anarchy and it is not a healthy way for a governmental body to operate. Mr. Rinaldi asked if he was talking about last month with the hiring of the Cohen Law Firm and reminded Mr. Hughes that Solicitor Weinschenk explained why the committee handled it that way. Mr. Rinaldi stated this discussion was included in last month's minutes which Mr. Hughes had just voted to approve. Ms. Igoe ask if the DPW will be getting the flags up for the upcoming holidays. Mr. Rinaldi stated the flags will be up for May 15<sup>th</sup>, Flag Day. Mr. Barrasse agreed with Mr. Hughes stating procedures should be followed but recognizes emergencies do pop up and contacting the chain of command along with polling the Borough's Council should be appropriate. Mr. Barrasse verified the hiring of the Cohen Law Firm was appropriate it would cost as much or more to amend the zoning ordinance.

**MOTION FOR ADJOURNMENT:** Mr. Barrasse entertained the motion to adjourn the meeting. Mr. Hughes motioned, seconded by Dr. Cochran to adjourn the meeting at 8:08 P.M. All in attendance voted in favor.

  
Joanne Culbertson, Secretary/Treasurer

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

**Agenda**  
**VIA ZOOM**

**April 21, 2021**

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE- President Joe Barrasse**
2. **ROLL CALL -Secretary Joanne Culbertson**
3. **MOTION TO ACCEPT MINUTES – March 17, 2021 minutes**
4. **PUBLIC COMMENT**  
Visitors should approach the podium and state their name and address. Comments limited to 3 min
5. **MAYOR's Report- Mayor McGraw.**  
**Police Report- Clarks Summit Chief Chris Yarns**
6. **Solicitor's Report- Mr Weisenhenk**
7. **Ordinance #1 Adoption Of new Zoning Ordinance**
8. **Resolution #3 Setting permit fee's for Wireless**
9. **Resolution #4 Approval of Small Wireless Facility Design Manual**
10. **PUBLIC WORKS COMMITTEE – Mr. Rinaldi**  
**Patel's Stormwater drainage problem**
11. **ARWA- Mr. Rinaldi**
12. **TREASURER'S REPORT AND BILL APPROVAL – Mr. Hughes**
13. **FINANCE COMMITTEE – Mr. Hughes**  
**Financial reports, & Sewer delinquencies**
14. **BUILDING & GROUNDS – Mr. Tom's**
15. **REFUSE & RECYCLING COMMITTEE– Ms Igoe**
16. **HEALTH & SAFETY COMMITTEE- Dr. Coehran**
17. **PERSONNEL COMMITTEE– Mr. Williams**
18. **OLD BUSINESS**
19. **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.**