

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

CALL TO ORDER: President Barrasse called the meeting of the Clarks Green Council to order at 7:02 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. Toms, Mr. Williams, Mr. Barrasse, Mayor McGraw and Solicitor Weinschenk.

APPROVAL OF MINUTES: President Barrasse entertained the motion to accept the minutes of the May 19, 2021 Council meeting. Dr. Cochran motioned, seconded by Mr. Hughes. Mr. Williams, Ms. Igoe, Mr. Toms, Mr. Hughes, Dr. Cochran, Mr. Rinaldi and Mr. Barrasse voted in favor. President Barrasse entertained the motion to accept the minutes of the June 16, 2021 Council Meeting. Mr. Hughes motioned, seconded by Ms. Igoe. Mr. Rinaldi, Dr. Cochran, Mr. Hughes, Mr. Toms, Ms. Igoe, Mr. Williams and Mr. Hughes.

VISITORS: Ben Freda, Abington Journal, CSPD Chief Yarns, Don Melia, Jr., 200 Squirrel Run, Michael and Leeann Kayal, 304 Rabbit Run, Craig and Shirley Golden, 321 Crest Drive, Rick Williams, Shade Tree Commission, Ryan Mitvalsky, Medico Construction and Leah Rosenkrans, partner at Murphy and Dougherty & Co.

MAYOR'S REPORT: In absence of Mayor McGraw, President Barrasse informed Council that Mr. Parker, Clarks Green Zoning officer informed him a demolition permit has been issued for the old gas station and right now, waiting on PennDot and DEP. Solicitor Weinschenk told Council Lackawanna County has approved the Land Development Plan. Chief Yarns told Council the Aggressive Driving Program is in progress until the end of August. He warned Council members about recent unemployment false complaints noting this is considered to be identity theft. Chief Yarns reported Steve Hall, a full-time officer has been hired. Chief Yarns briefly reviewed the monthly report. Chief Yarns informed Council of the issue regarding the shortage of semiconductor chips which is impacting the new police cars purchases along with body cameras.

SOLICITOR'S REPORT: Solicitor Weinschenk introduced Resolution No. 6 of 2021 along with the Police Protection Agreement. Clarks Green shall pay to Clarks Summit \$86,322 for the period January 1, 2022 to December 31, 2022. Clarks Green shall pay to Clarks Summit \$88,048 for the period of January 1, 2023 to December 31, 2023. Clarks Green shall pay to Clarks Summit \$89,809 for the period January 1, 2024 to December 31, 2024. Clarks Green shall pay to Clarks Summit \$92,503 for the period January 1, 2025 to December 31, 2025. Clarks Green shall pay to Clarks Summit \$95,278 for the period January 1, 2026 to December 31, 2026.

**CLARKS GREEN BOROUGH
LACKAWANNA COUNTY, PENNSYLVANIA
RESOLUTION NO. 6 of 2021**

WHEREAS, the Borough Council of Clarks Green has decided that it is in its best interest to enter into a contract with the Borough of Clarks Summit for the Clarks Summit Borough Police Department to provide police protection for the Borough of Clarks Green pursuant to the Borough Code, 53 P.S. § 1202(24);

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

1. The Borough of Clarks Green hereby agrees to enter into a contract with the Borough of Clarks Summit, Lackawanna County, Pennsylvania for the Borough of Clarks Summit to provide police protection for the Borough of Clarks Green for the five year period commencing January 1, 2022, and ending December 31, 2026. Copy of the contract is attached hereto and marked Exhibit "A".
2. The appropriate officers of the Borough of Clarks Green are hereby authorized to execute on behalf of the Borough the contract between the Borough of Clarks Green and the Borough of Clarks Summit.

ENACTED this 21 day of July, 2021.

GREEN

President

ATTEST:

/s/Joanne Culbertson

Joanne Culbertson, Secretary

BOROUGH OF CLARKS

/s/Joseph Barrasse

Joseph Barrasse, Council

APPROVED this 21st day July, 2021

/s/Kenneth McGraw

Kenneth McGraw, Mayor

Dr. Cochran motioned to adopt Resolution No. 6 of 2021, seconded by Mr. Hughes. Mr. Toms, Dr. Cochran, Mr. Hughes, Ms. Igoe, Mr. Williams, Mr. Rinaldi and Mr. Barrasse voted in favor.

PUBLIC COMMENT: Don Melia, Jr., 200 Squirrel Run, Michael and Leeann Kayal, 304 Rabbit Run informed Council of their water problem along with erosion of property both stated it is contributed by the Mountain Meadows development noting they have contacted South Abington Township and have been told to contact Clarks Green Borough. Craig and Shirley Golden, 321 Crest Drive reported to Council their culvert on their property is collapsing and would like something done about it noting the work done by Clarks Summit Borough on neighboring properties. Ryan Mitvalsky, Medico Construction, introduced himself to Council and talked about the proposed backhoe and its capabilities along with custom ordering options. Rick Williams, Shade Tree Commission addressed Council on the recent appointment of Olga Trushina stating she did not know she was to be Chair of Shade Tree. Mr. Williams informed Council the Shade Tree Commission meetings will be changing to the third Tuesday of every month. Mr. Williams stated the Shade Tree Commission will be arranging a fall planting this year and stated they will be asking for the allotted money from last year along with this year's allotment noting they needed a bigger budget. Mr. Williams submitted a 13 year label asking that it be placed on the Borough's Tree City sign. Mr. Williams asked about the possibility of getting an assigned key for the Borough building and noted ACOG will be starting back up in September. Leah Rosenkrans, partner Murphy and Dougherty & Co., presented the 2020 Audit to Council. Ms. Rosenkrans stated 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. Mr. Rosenkrans told Council Clarks Green Borough has not recorded certain general infrastructure assets in governmental activities and, according has not recorded depreciation expense on those assets noting the Borough's 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 clean of debt and expenditures are down. Ms. Rosenkrans told Council the Borough is in fantastic condition and thanked Council and Borough office staff for cooperating with the audit. Mr. Hughes asked the public and Ms. Culbertson to leave the room so he can ask questions to Ms. Rosenkrans. Solicitor Weinschenk stated that was not

necessary since information is open to the public. After a brief discussion the public remained in the room and Ms. Culbertson left the room for a brief moment. Mr. Hughes motioned to accept the 2020 Audit and ratify payment of the bill, seconded by Ms. Igoe. Mr. Williams, Mr. Toms, Dr. Cochran, Mr. Hughes, Mr. Rinaldi, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Hughes thanked Ms. Rosenkrans and her staff in preparing the audit.

ARWA: Mr. Rinaldi reported the recent meeting was routine. Mr. Rinaldi updated Council on the piping pitting issues when piping was initially inspected there was no pitting in the third bio-reactor. The manufacturer agreed to replace the 309 stainless steel pipe with 316 stainless steel. Mr. Rinaldi informed Council that the alarm monitor service was switched from Allied Control to Dialogue Elite. Mr. Rinaldi reported on the ARWA cameraing system noting it was recently used by South Abington Township. Mr. Rinaldi reminded Council all three (3) participating municipalities have that option as well and the rate for the camera usage service is \$35 per hour noting Clarks Green through third parties previously paid anywhere from \$800 to \$1800 a day to private contractors for cameraing.

HEALTH & SAFETY: Dr. Cochran told Council not to throw face mask away noting that 35,000 people in the U.S. have been infected by the delta variant.

PUBLIC WORKS: Mr. Rinaldi reported two (2) bids have been received for the 2021 Paving Project announcing American Asphalt at \$169,390 and New Enterprise Stone & Lime Co. at \$252,745 noting the estimate of the project was \$112,375. Mr. Rinaldi told Council the difference of what was budgeted and the low bid is \$57,615. Mr. Rinaldi stated the Solicitor Weinschenk and the Borough engineers reviewed the bids and recommend awarding the bid to American Asphalt. Mr. Rinaldi briefly reviewed the specs on the 2021 Paving Project stating that the sub-surface work would include storm-water piping and he was hopeful this will eliminate deteriorating of the road surface on a yearly basis. Mr. Rinaldi motioned to award the 2021 Paving Project bid to the American Asphalt in the amount of \$169,390, seconded by Mr. Hughes. Mr. Rinaldi, Mr. Hughes, Mr. Williams, Mr. Toms, Dr. Cochran, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Hughes told Council that we need to be very cautious with our spending throughout year since this is an overage of what had been budgeted.

TREASURER'S REPORT AND BILL APPROVAL: Mr. Rinaldi asked Council if he can make some remarks in reference to the storm water issues presented in public comment. Mr. Rinaldi reminded Council that the 321 Crest Drive property was once owned by Ms. Mastroianni and the DPW tried to work with her when the Crest Drive project was being done a few years ago and she was not interested. Mr. Rinaldi told Council this is the first time he had heard of water issues at the Kayal's property located at Rabbit Run. Mr. Rinaldi stated he is not aware of any piping that was talked about by Mr. Melia and Mr. Kayal. Mr. Rinaldi told Council one of the biggest challenges is mapping stormwater systems since every development dealt with stormwater differently while the Borough never required specific standards. Mr. Hughes asked Secretary Culbertson to explain the IRS Penalty the Borough recently received. Secretary Culbertson told Council the Assistant Secretary, Paula Thompson experienced a power outage while submitting an electronic payment for the monthly Federal Social Security Medicare Tax in January noting she remembered receiving a confirmation number so she assumed the transaction was completed. However, it was not and as a result the Borough received a penalty for being late. Secretary Culbertson told Council she discussed with Mrs. Thompson that future payment transactions must be verified after submittal. Mr. Hughes motioned to pay the IRS Penalty in the amount of \$327.58, seconded by Dr. Cochran. Mr. Williams, Mr. Rinaldi, Ms. Igoe, Mr. Hughes, Mr. Toms, Dr. Cochran and Mr. Barrasse voted in favor. Secretary Culbertson told Council owner of 110 ½ Nelson Street is asking if we can remove the penalty on his sewer bill, noting he had moved and no forwarding address was given to the Borough but after some internet research she had found his new address and re-sent the bill. Mr. Hughes recommended to remove the penalty and no motion was not needed per Mr. Barrasse. 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	\$	481,511.56
Capital Fund Money Market		106,407.21
Sewer Fund Checking		398,406.50
Sewer – FNCB CD #200278057		76,897.02
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>121,876.32</u>
Total Checking/Savings	\$	1,339,404.19

Mr. Hughes reported to Council the FNCB certificate of deposit #057 had matured June 23rd and has been renewed for another year plus, \$25,000 had been added making the new balance \$76, 897. Mr. Hughes told Council the next certificate of deposit will mature September 30th. Mr. Hughes reported the Real Estate Transfer Tax is up \$7,000 and Real Estate Tax is up by \$12,000. Mr. Hughes informed Council the Wage and Earned Income tax is up by \$29,000, Sewer Use Charges up by \$10,000 and Total Income is up \$79,000 compared to last year noting Total Expenses is down \$20,000. 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, Dr. Cochran, Mr. Hughes, Mr. Williams, Ms. Igoe, Mr. Rinaldi, and Mr. Barrasse voted in favor. Mr. Hughes reported to Council the first half of the American Rescue Plan Fund has been received in the amount of \$72,954.44 noting no guidance has been received as of yet as to how the money should be spent. Mr. Hughes told Council the South Abington Township pass thru fee has been collected in the amount of \$433.20. Mr. Hughes informed Council a very nice thank you note has been received from the Abington Community Library for the \$2,000 contribution. Mr. Hughes reported Murphy, Dougherty & Company filed our required Municipal Audit with State of Pennsylvania. Mr. Hughes told Council \$5,909 had been collected from sewer delinquencies.

BUILDING AND GROUNDS: Mr. Toms told Council he did not have anything specific to report noting grass is being cut and maintenance of the building is being done. Mr. Toms reported the lawnmower has been purchased but he has not seen the invoice. Mr. Hughes stated it had been purchased from Abington Power Equipment at the cost of \$449.

REFUSE & RECYCLING: Ms. Igoe told Council she has been dealing with some issues regarding County Waste such as refrigerator removal, \$10 bag charge and items not being picked up. Ms. Igoe informed Council that it is sometimes hard to contact them regarding the residents' trash issues. Mr. Barrasse reminded all of Council the cost of trash removal will be increasing per the existing contract and we might want to re-bid noting we would need to make a decision very soon since we would need to notify County Waste. A discussion took place among Council members about the overall service from County Waste and what actions the Borough might take in getting a resolution to some of the problems. Mr. Rinaldi asked the Solicitor of any possible agencies that would have oversight over trash collection. Solicitor Weinschenk stated it is a private collection versus public utilities.

OLD BUSINESS: Mr. Barrasse briefly reviewed the proposals that were submitted for the future new backhoe which included Five Star and Medico. Mr. Barrasse told Council at this time it is still preliminary due to the budget and needed funds. Mr. Barrasse stated the recent awarded grant of \$75,000 will help. Ryan Mitvalsky, Medico Construction reported to Council a CASE machine was delivered to the Borough as a demonstration and see what options would be needed to suit the Borough's use.

PERSONNEL: Mr. Williams reported the Borough had ten (10) applicants for the open DPW position and scheduled four (4) interviews which included Mr. Hughes, Mr. Rinaldi and himself. Mr. Williams told Council two (2) resumes has been distributed to Council naming Ralph Arcuri and Brett Blakewicz. Mr. Williams stated based off the interviews we are recommending Ralph Arcuri noting both candidates had the experience and available to work when needed. Mr. Rinaldi stated his impression of Ralph Arcuri was that he would be serious about the job and would give his best effort.

EXECUTIVE SESSION: Mr. Barrasse announced Council will be entering in an executive session. Mr. Barrasse stated he would like to recess the meeting rather than adjourn this meeting so, if Mr. Arcuri accepts the DPW position we can officially hire him at August 4 before the scheduled work session. Mr. Hughes motioned to recess the meeting for August 4, 2021, seconded by Ms. Igoe. All of Council voted in favor. The Executive Session started 8:58 and the Council meeting resumed at 9:14 P.M.

RECESS: Mr. Barrasse entertained the motion to recess the meeting. Mr. Hughes motioned to recess the meeting at 9:15 P.M, seconded by Ms. Igoe. All of Council voted in favor.

RECONVENED: President Barrasse reconvened the meeting of the Clarks Green Council on August 4, 2021 at 6:50 p.m. with the Pledge of Allegiance.

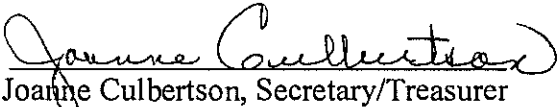
ROLL CALL: Mr. Hughes conducted roll call. The following were present: Mr. Hughes, Ms. Igoe, Mr. Toms, Mr. Barrasse, and Mayor McGraw. Solicitor Weinschenk participated via ZOOM. Mr. Rinaldi and Dr. Cochran absent.

VISITORS: No visitors.

PERSONNEL: Mr. Williams informed Council of a recent incident involving Secretary Culbertson & the DPW Supervisor Dave Kohinsky stating they all have received a copy of the incident report along with the Warning letter that was given to Mr. Kohinsky. Mr. Williams motioned to hire Ralph Arcuri to the open DPW position at a rate of \$17 per hour with a start date of Monday, 8/9/2021, seconded by Ms. Igoe. Mr. Williams, Ms. Igoe, Mr. Toms, Mr. Hughes and Mr. Barrasse voted in favor. Mr. Williams requested an executive session to discuss FMLA request submitted by DPW Supervisor, Dave Kohinsky.

EXECUTIVE SESSION: Session started at 7:14 P.M and resumed at 7:20 P.M. Mr. Williams approved David Kohinsky's FMLA application request as of 8/05/2021, seconded by Mr. Toms. Mr. Williams, Mr. Toms, Mr. Hughes, Ms. Igoe and Mr. Barrasse voted in favor.

MOTION FOR ADJOURNMENT: Mr. Barrasse adjourned the meeting at 7:38 P.M.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING

Agenda
July 21, 2021

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE- President Joe Barrasse
2. ROLL CALL -Secretary Joanne Culbertson
3. MOTION TO ACCEPT MINUTES – May 19, 2021 minutes
June 16, 2021 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 Chief Chris Yarns
6. SOLICITOR’S REPORT- Al Weinschenk
Resolution to accept Police Contract 2022-2026 - Al Weinschenk, & Dr Cochran
7. Auditor’s Report – Leah Rosencrans
Murphy Dougherty PLC.
8. HEALTH AND SAFETY COMMITTEE- Dr. Cochran
9. PUBLIC WORKS COMMITTEE – Mr. Rinaldi
Review Paving Bids
10. ARWA- Mr. Rinaldi
11. TREASURER’S REPORT AND BILL APPROVAL – Mr. Hughes
IRS Fine- Joanne Culbertson
12. FINANCE COMMITTEE – Mr. Hughes
13. BUILDING & GROUNDS – Mr. Toms
14. REFUSE & RECYCLING COMMITTEE– Ms. Igoe
15. PERSONNEL COMMITTEE– Mr. Williams
DPW Position, Executive Session for Personnel Matters
16. OLD BUSINESS
Brief update on Baekhoe- Joe Barrasse
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.