

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
SEPTEMBER 15, 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 August 18, 2021 Council meeting. Dr. Cochran motioned, seconded by Mr. Williams. 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 September 1, 2021 Special Council Meeting. Dr. Cochran motioned, Mr. Hughes told Council he wants to amend the minutes to include his personal remarks about Councilman Rinaldi. Mr. Hughes stated the minutes need to be amended with the following quotation added to the end of the minutes which Mr. Rinaldi asked if Dr. Cochran will be resigning from Council since he is selling his house and moving to South Abington Township as follows: "he (Mr. Hughes) doesn't know why this is a topic in a Council meeting and it is so inappropriate noting it is so you David". A discussion took place between Secretary Culbertson and Solicitor Weinschenk on the procedure regarding amending the minutes. Mr. Hughes motioned to amend the September 1, 2021 minutes with the statement, "he doesn't know why this is a topic in a Council meeting and it is so inappropriate noting it is so you David", seconded by Dr. Cochran. Mr. Rinaldi, Dr. Cochran, Mr. Hughes, Ms. Igoe, Mr. Williams and Mr. Barrasse voted in favor and Mr. Toms voted no.

VISITORS: Mr. Barrasse stated via Zoom there is one (1) person attending and asked if they wanted to speak but declined.

PUBLIC COMMENT: No public comment.

MAYOR'S REPORT: Mayor McGraw told Council there is a lot of progress taking place relating to the property at 101 N. Abington Road. Mayor McGraw reported Chief Yarns might be joining the meeting late or not at all due to attending an Abington Heights' School Board Meeting. Mr. Barrasse told Council he received a call from Chief Yarns and he would not be attending the Council meeting. Dr. Cochran had a question for the Mayor in regard to the allowable digging distance to the road at the 101 N. Abington Road property. Mayor McGraw stated the Developer is required to stay on the original foundation but allowed to go up to six (6) ft. from the back property line. Mr. Barrasse reported DEP has been on site and believes the development has not been going well informing Council more contaminated soil has been found and four (4) additional tanks needed to be removed. Mr. Barrasse told Council, Zoning Officer Parker has been in contact with their engineers and is currently trying to join the virtual Council meeting.

SOLICITOR'S REPORT: Solicitor Weinschenk told Council he sent an email out correcting his statements made at the previous meeting concerning the Shade Tree Ordinance about issuing permits. Solicitor Weinschenk proceeded to tell Council, Mr. Rinaldi sent him an updated version of the Shade Tree Commission Ordinance noting it was on the Borough's website but his Code of Ordinances book unfortunately had not been updated for which he apologized. Solicitor Weinschenk verified the Shade Tree Commission issues the permits and has inclusive control over the "street" trees. Solicitor

Weinschenk reported he sent correspondence to resident Craig Golden in respect to 321 Crest Drive and the stormwater drainage culvert that is located on that property indicating the Borough has no responsibility. Mr. Hughes asked when the letter was mailed. Solicitor Weinschenk stated it was dated Friday and mailed Monday, September 13th. Ms. Igoe asked if he heard back from County Waste and Solicitor Weinschenk stated his recent correspondence invited them to attend this meeting and have heard absolutely nothing noting this is very disappointing. Mr. Barrasse asked if a second letter can be sent and Solicitor Weinschenk stated he would be happy to but feels there will be no different response like the first one. Solicitor Weinschenk asked Ms. Igoe for the representative's email address and he will try to send through email.

HEALTH & SAFETY: Dr. Cochran told Council those of us that are vaccinated for COVID if exposed has a ten (10) percent chance of developing the disease. He further told Council that is certainly a problem in the medical profession right now in the treatment of patients noting it is continually rising and certainly not gone. Dr. Cochran told Council the flu season is also approaching. Dr. Cochran gave his professional opinion of having the Council meetings virtual for the rest of the year. Ms. Igoe stated she cannot understand if we are all vaccinated why we can't meet in person for the meetings. Dr. Cochran stated he does not want to put himself at risk by attending the meetings. Ms. Igoe told Dr. Cochran he did not have to attend the meeting it is not necessary noting you moved out of the Borough and that he could attend virtually but those that want to attend in person can meet in Council Chambers. Dr. Cochran stated he has not yet moved out of the Borough. Ms. Igoe stated other communities are meeting in person. Mr. Hughes told Ms. Igoe that is nice that you are so cavalier about other people's health. Mr. Hughes stated I want to see my grandchildren and my children and noted he had two (2) friends that have been vaccinated and became infected with the COVID virus. Mr. Rinaldi added we have been doing virtual and in person meetings noting that was the last advertisement before the Special Meeting so Ms. Igoe is absolutely right, if you do not want to come to the meeting in person you can attend virtually. Mr. Rinaldi stated at least the public has the opportunity to attend the meeting virtually or come to the Borough building. Mr. Rinaldi told Council he believes there have not been any COVID deaths in Lackawanna County recently noting we have the highest vaccination rates in the Commonwealth. Dr. Cochran stated Mr. Rinaldi is correct concerning the vaccination rate but if you are the one with the disease you are sick. Mr. Barrasse told Council he did this in the interest of safety and there are a lot of Boards have been meeting virtually naming ARWA for at least eighteen (18) months. Mr. Barrasse stated he believed by putting approximately twelve (12) of us in the Borough's small chamber, it is easily transmittable. Mr. Barrasse explained if we make an error it will be on the side of safety. Dr. Cochran agreed with Mr. Barrasse but noted if some members of Council would like to attend the meeting in person that would be fine and rest of the Council who prefers not to attend the meeting in person can do so virtually which Mr. Rinaldi stated that is how we have been conducting the meetings. A discussion took place about vaccine and its effectiveness. Solicitor Weinschenk told Council they can make a motion if they want the meeting virtually only or motion can be made for in person and an advertisement will be needed. Mr. Hughes motioned, seconded by Dr. Cochran to have the October 2021 meetings virtually. Mr. Rinaldi stated it is so you Alan. Mr. Hughes told Mr. Rinaldi you just attained a new low. Mr. Rinaldi stated I want to be open to the public. Mr. Barrasse stated we all want to be open to the public noting I think ZOOM is much more accessible than in person meetings. Mr. Barrasse told Council ninety (90) percent of our meetings don't even have one (1) person attendance. Mr. Barrasse talked about the cost of advertisements and suggested to Mr. Hughes to amend his motion to include the rest of the months in 2021. Mr. Hughes motioned to meet virtually for October, November and December 2021 Work Sessions and Council Meetings, seconded by Dr. Cochran. Mr. Williams, Mr. Hughes, Dr. Cochran and Mr. Barrasse voted in favor. Mr. Rinaldi, Ms. Igoe and Mr. Toms voted no.

PUBLIC WORKS: Mr. Rinaldi updated Council on the 2021 Paving Project stating the storm water piping and manhole work has been completed. Mr. Rinaldi stated he had contacted the Borough Engineer to find out when American Asphalt will be returning to pave. Mr. Rinaldi told Council the

Borough did not want the streets torn up for weeks waiting for paving and was assured milling the street will be started next week. Mr. Rinaldi suggested to Council the future paving bids should not allow the projects to be done with phases such as what is happening with the current paving project but requiring such a condition might lead to higher bids. Mr. Hughes told Mr. Rinaldi he had placed copies of invoices for work done on the old Ford F550 truck in amounts of \$3,800 and \$1,000 noting he had talked to DPW Supervisor, Dave Kohinsky, stating he was surprised we are spending close to \$5,000 on this truck. Mr. Hughes stated he thought the Borough was selling this truck and Dave Kohinsky stated it was talked about to him when we bought the two (2) new trucks but no one had mentioned to him recently. Mr. Hughes further stated this was talked about at our last month's Council meeting and Mr. Rinaldi was to check into it. Mr. Rinaldi stated he did check into it and after talking with Dave Kohinsky today he told Council it is ready to go on Municibid. Mr. Rinaldi stated he was not sure specifically what repairs had been done to the truck except for getting it ready to sell. Mr. Barrasse clarified the truck expenditures stating the \$3,800 invoice was for the 2008 F550 truck and \$1,000 invoice was for the 2011 F550. Mr. Barrasse told Council discussion has taken place on selling the 2008 F550 truck and Mr. Barrasse inquired why are we going to a dealership to service the older trucks. Mr. Barrasse suggested that we consider selling the truck now and Council can vote on it at the next Council meeting in October with the minimum bid of \$12,000 to \$14,000. Mr. Rinaldi asked Solicitor Weinschenk if this should even be discussed since it was not on the agenda due to the new regulations. Solicitor Weinschenk stated it can be discussed but not to vote. Solicitor Weinschenk reminded Council all items must be on the agenda before voting can take place. Mr. Williams asked Mr. Rinaldi if the DPW crew can patch some road holes located at Hall Ave. and N. Abington Road noting several residents had approach him. Mr. Rinaldi stated yes the asphalt plants are still open. Mr. Rinaldi also told Mr. Williams the property located at Hall Ave. and Tedrick has been inspected by the Borough Engineer and DPW Foreman. The least costly solution is to re-install the curb because the angle is so steep. Mr. Rinaldi further stated he is not sure if it is the Borough's responsibility or the homeowner's. Mr. Barrasse asked Mr. Rinaldi about the Patel property bids stating he would like them for the October's Council meeting. Mr. Rinaldi stated the project is a repair to the Borough's stormwater system.

ZONING REPORT: Mr. Parker asked Council if they had any questions on his distributed monthly report. Mr. Rinaldi questioned the 319 N. Abington Road notation in the report. Mr. Rinaldi asked Solicitor Weinschenk if currently the property is now considered a R1 Zone property. A discussion took place about what took place several years ago when the buildings were demolished. Solicitor Weinschenk gave a brief history of the building and along with the adopted Borough Ordinances and the proposed SAPA Ordinance that property is considered R1A, strictly residential, as a result of the loss of its former grandfathered commercial use. Mr. Parker updated Council on the 101 N. Abington Road property informing Council the excavator found (3) more tanks which required separating sixty (60) tons of contaminated material which needs to be disposed of in an approved landfill.

ARWA: Mr. Rinaldi reported in August the area received six (6) more inches of rain with the most recent storm producing three (3) more inches of rain resulting in a peak flow sixteen (16) million gallons. Mr. Rinaldi informed Council the air conditioning unit was approved for repair at a cost of \$5,362 noting the purchase price of the air conditioner, at the time the plant was renovated, was \$53,000. Mr. Rinaldi reported the 2022 Budget is being prepared and had asked for EDU counts from participation municipalities noting the Authority has received Clarks Green's. Mr. Hughes asked for the Authority's 2021 Audit report along with the proposed 2022 Budget.

TREASURER'S REPORT AND BILL APPROVAL: Mr. Hughes reported on the checking account balances with comparisons to last month and last year. Mr. Hughes reported a new account has been added with the American Rescue Plan Act funds. The Treasurer's report was presented by Mr. Hughes and filed for audit. Current fund balances are as follows:

General Fund Checking	\$	483,415.49
Capital Fund Money Market		106,416.25
ARPA Fund Checking		72,954.64
Sewer Fund Checking		378,661.96
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>121,897.02</u>
Total Checking/Savings	\$	1,394,547.96

Mr. Hughes reviewed the Budget vs. Actual report. Mr. Hughes reported the Real Estate Transfer Tax is \$16,000 higher and the Wage Earned Income Tax is \$18,000 higher than a year ago. Mr. Hughes informed Council the Borough's Gross Profit is \$92,000 higher and the biggest expenditure was the purchase of the truck at \$44,000 and Net Expenses are lower by \$49,000 than a year ago making our Net Income \$142,000 higher than last year. Mr. Rinaldi asked Mr. Hughes if he knew what the eligible expenditures are for the American Rescue Plan funds. Mr. Hughes it is very broadly for infrastructure and he stated he doesn't have anything specific since it has not gotten very specific. 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. Solicitor Weinschenk left the meeting at 8:02 P.M. Mr. Hughes reported \$4,600 in sewer delinquencies. Mr. Hughes motioned to renew the Sewer FNCB Certificate of Deposit # 681 that comes due on 9/30/2021 and add \$25,000 from the Sewer Fund Checking account, seconded by Dr. Cochran. Mr. Williams, Mr. Toms, Dr. Cochran, Mr. Hughes, Mr. Rinaldi, Ms. Igoe and Mr. Barrasse voted in favor. Mr. Hughes motioned to issue a check payable to the Clarks Summit Fire Dept. in the amount of \$1,500 as an additional contribution, seconded by Mr. Williams. Mr. Toms, Dr. Cochran, Ms. Igoe, Mr. Rinaldi, Mr. Williams, Mr. Hughes and Mr. Barrasse. Mr. Hughes reported a thank you letter was sent to Leah Rosenkrans from Murphy and Dougherty noting all Council members and the Mayor had been copied. Mr. Hughes informed Council a donation request has been received from Girl Scouts in the heart of PA which they are currently working on a project to build a Labyrinth at Hillside Park in Clarks Summit in the amount of \$15,000 stating he is not recommending in contributing. Mr. Hughes reminded Council when the 2021 Paving Project was approved he told Council he would be very reluctant in approving any additional new spending. Mr. Hughes informed Council approximately two (2) years ago DGK insurance company conducted a safety audit at the Borough building and all of the grounds. Mr. Hughes stated as a result the Borough was asked to develop a safety program and felt since largely it was a DPW item I had asked the DPW Chair, Mr. Rinaldi for assistance. Mr. Hughes reported a year went by and since I was meeting with the insurance company in early December I had asked Mr. Rinaldi if we can meet and work on something in anticipation for the earlier request. Mr. Hughes stated that did not materialize so he took it upon himself to develop the distributed safety plan from the suggested elements along with a suggested website from DGK's office manager, Mary Major. Mr. Hughes reported his safety plan was accepted by DGK. Mr. Hughes told Council he is proposing his distributed safety plan be adopted. Mr. Rinaldi asked "what's the benefit for Clarks Green" noting can it be a lower premium. Mr. Hughes stated safety since we have had issues in the past with employees not wearing safety goggles plus injuries and if it helps us minimize our losses either injuries to personnel or equipment that is a plus. Dr. Cochran stated he feels the safety plan is concise covering the major points. Mr. Rinaldi asked if we adopt this safety plan and there is violation of this plan will the insurance company deny us coverage. Mr. Hughes stated he will ask the Insurance Agency about that in December and possibly sooner. Mr. Barrasse told Council noted in the plan where it states employees are prohibited from using cell phones or another device while operating a Clarks Green Borough vehicle might be an issue. Mr. Hughes motioned to adopt the Clarks Green

Safety Plan, seconded by Dr. Cochran. Mr. Rinaldi told Council without the answers to these questions need to be answered before Council adopts the plan. Mr. Hughes withdrew the motion stating it will be on the agenda for October noting he had tried to arrange meetings at least six (6) times to develop the needed safety plan. A discussion took place between Mr. Hughes and Mr. Rinaldi in regard to the development of the safety plan.

BUILDING AND GROUNDS: Mr. Toms told Council the grass planted in the front of the Borough Building came in beautifully due to the rainfall we had this year.


REFUSE & RECYCLING: Ms. Igoe reported to Council she has still has not gotten a response from County Waste. Ms. Igoe told Council she still does not know when the leaf bag distribution will take place since we do not have a date when the bags will be delivered noting there is a problem with delivery due to short staffing at the trucking company. Mr. Barrasse stated the residents will need to be notified that they are not to put out leaf bags out at the curb until Thursday night for pickup on Friday. Mr. Barrasse suggested a document should be attached to the leaf bag distributions. Mr. Rinaldi reported to Council no overtime was used for the distribution of leaf bags nor did DPW work on the weekend correcting statements made at the last Council meeting by Alan Hughes. Mr. Hughes stated that was incorrect since he saw them in his neighborhood that weekend.

PERSONNEL: Mr. Williams told Council he will check on the DPW overtime in question and Mr. Rinaldi offered to get him the necessary information. Mr. Williams told Council he had no report this month.

OLD BUSINESS: Mr. Barrasse reported Five Star demonstrated the John Deere backhoe and was not sure if another vendor was scheduled for a demonstration and it will be discussed at October's work session.

NEW BUSINESS: Mr. Barrasse reminded Council of the new regulations regarding on voting at a Council meeting stating it could only be an emergency or if it is stated on the agenda. Mr. Barrasse told Council an agenda needs to be posted on the Borough's website and door at least 24 hours before a scheduled meeting.

MOTION FOR ADJOURNMENT: Mr. Hughes motioned to adjourn the meeting at 8:26 P.M., seconded by Dr. Cochran. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
Agenda
September 15, 2021

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE- President Joe Barrasse
2. ROLL CALL -Secretary Joanne Culbertson
3. MOTION TO ACCEPT MINUTES – August 18 and September 1 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 (He may be late)
6. SOLICITOR’S REPORT- Al Weinschenk
7. HEALTH AND SAFETY COMMITTEE- Dr. Cochran
8. PUBLIC WORKS COMMITTEE – Mr. Rinaldi
9. ZONING REPORT - George Parker
10. ARWA- Mr. Rinaldi
11. TREASURER’S REPORT AND BILL APPROVAL – Mr. Hughes
Consideration and possible Adoption of Borough Safety Plan, as per DGK
12. FINANCE COMMITTEE – Mr. Hughes
Renew 09/30/21 CD and \$25,000
\$1,500 contribution to CSFD budget item
12. BUILDING & GROUNDS – Mr. Toms
13. REFUSE & RECYCLING COMMITTEE– Ms. Igoe
14. PERSONNEL COMMITTEE– Mr. Williams
15. OLD BUSINESS
16. 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.