

**CLARKS GREEN BOROUGH
SPECIAL
COUNCIL MINUTES
OCTOBER 26, 2021**

CALL TO ORDER: President Barrasse called the meeting of the Clarks Green Council to order at 6:01 p.m. with the Pledge of Allegiance.

ROLL CALL: Secretary Culbertson conducted roll call. The following were present: Dr. Cochran, Mr. Hughes, Mr. Williams, Mr. Barrasse, Mayor McGraw and Solicitor Weinschenk.

ABSENT: Mr. Rinaldi, Mr. Toms and Ms. Igoe.

VISITORS: Jeff Beggin, Five Star Equipment, Ryan Mitvalsky, Medico Construction Equipment and George Parker. Another visitor (Galaxy S10+) was signed on but would not identify his or herself.


PUBLIC COMMENT: Ryan Mitvalsky, Medico Construction Equipment, stated he had sent the necessary Case backhoe information along with the Medico quote to Mayor McGraw. Mr. Mitvalsky gave a brief review on the features and options available with the Case backhoe along with comparisons between Case and the John Deere backhoe. Mr. Mitvalsky told Council Medico can commit to a delivery time and even honor Mr. Hughes request for delivery in 2022 with no deposit required. Mr. Mitvalsky told Council Medico has been the Borough's equipment supplier for more than thirty (30) years. Mr. Mitvalsky stated Medico has done an outstanding job supporting and donating to the Abington communities such as the Clarks Green Borough clock project. Mr. Barrasse at this time asked the visitor with the Galaxy S10+ to identify themselves. Solicitor Weinschenk stated if the meeting was held in person they would need to sign in identifying themselves and they need to identify themselves or sign off the Zoom meeting. After several request the Galaxy S10+ visitor signed off. Jeff Beggin, Five Star Equipment, told Council he appreciates everyone's time for this special meeting and stated he will not go over the specs and necessary information of the John Deere 310SL since everyone has recently received them to make your choices. Mr. Beggin informed Council that COSTARS is administered and invoiced by Plasterer Equipment for the whole state of Pennsylvania and Five Star Equipment is the Associated dealer and will handle ordering, delivery and all service/warranty work. Mr. Beggin stated hopefully you will see the value Five Star Equipment can bring to the table and give us the opportunity to earn your trust in business.

SOLICITOR'S REPORT: Solicitor Weinschenk asked if he could speak concerning his recent email dealing with this Special Meeting. During last week's meeting I indicated the purpose of the Special Meeting would be for the Mayor to cast the tie breaking vote noting it was based on a quick review of the statute during the meeting. In preparation for the Special Meeting tonight I reviewed the PA Borough code in more detail in respect to the Mayor's tie breaking vote. Solicitor Weinschenk informed Council subsection (d) 2 of section 1003 states that the matter will be reconsidered by Council at the Special Meeting and if a tie vote still exists it is the Mayor's duty to cast the tie breaking vote. The Special Meeting shall be within not less than five (5) days or more than ten (10) days at which time the matter shall be reconsidered by Council. Solicitor Weinschenk stated based upon this further review it is his opinion that Council must vote again on the purchase and, if a tie still exists, the Mayor must cast the tie breaking vote. Dr. Cochran asked Solicitor Weinschenk just for clarification if they had a quorum. Solicitor Weinschenk stated yes, four (4) out of seven (7) establishes a quorum for a meeting and to approve any action in the meeting you need a majority of the quorum which would be three (3). Mr. Hughes asked the Chair to be recognized to make a motion.

Mr. Barrasse told Mr. Hughes to go ahead with his motion. Mr. Hughes motioned to purchase the John Deere backhoe with Five Star Equipment in the amount of \$132,438.13 with the required deposit, seconded by Mr. Williams. Mr. Williams, Dr. Cochran, Mr. Hughes and Mr. Barrasse voted in favor. Mr. Mitvalsky asked just for the record how much was the required deposit. Mr. Barrasse stated \$10,000. Mr. Barrasse stated both machines were really good and it was not an easy decision.

PERSONNEL: Mr. Williams requested Council to go into Executive Session to discuss personnel issues at 6:19 P.M. Executive session ended at 6:39.P.M.

MOTION FOR ADJOURNMENT: Adjourned the meeting at 6:40 P.M. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
SPECIAL COUNCIL MEETING

Agenda
VIA ZOOM

OCTOBER 26, 2021

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE- President Joe Barrassé**
2. **ROLL CALL -Secretary Joanne Culbertson**
3. **PUBLIC COMMENT**
Visitors should state their name and address. Comments limited to 3 min
4. **Reconsider Backhoe bid purchase.**
5. **PERSONNEL COMMITTEE – Mr. Williams**
Executive Session for Personnel issue's.
6. **OLD BUSINESS**
7. **NEW BUSINESS**
8. **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.