

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
FEBRUARY 16, 2022**

CALL TO ORDER: President Rinaldi called the meeting of the Clarks Green Council to order at 7:05 p.m. with the Pledge of Allegiance.

ROLL CALL: Secretary Culbertson conducted roll call. The following were present: Mr. Egan, Mr. Toms, Ms. Wanchisen, Mr. Williams and Mr. Rinaldi were present. Mr. Curran, Mayor Barrassé and Solicitor Weinschenk attended via electronically.

ABSENT: Ms. Igoe.

VISITORS: CSPD Chief Yarns, John Arcangelo, 719 Highland Ave., Eloise Butovich, 100 S. Abington Road, George Parker, Clarks Green Zoning & Code Enforcement Officer, Ben Freda, Abington Journal and Brook Williams, The Times-Tribune.

APPROVAL OF MINUTES: President Rinaldi entertained the motion to accept the minutes of the January 17, 2022 Council meeting. Mr. Toms motioned, seconded by Mr. Williams. Mr. Williams, Mr. Toms, Ms. Wanchisen, Mr. Egan, Mr. Curran and Mr. Rinaldi voted in favor.

PUBLIC COMMENT: John Arcangelo, 719 Highland Ave, addressed Council on the new Borough Manager position stating he is against hiring a borough manager. He told Council Clarks Green Borough is a small community and we have only our Police and Refuse Recycling contracts that are up for bid every three (3) or five (5) years and we have no more room for residential or commercial development. Mr. Arcangelo feels the Borough's office and DPW staff is efficient and capable in performing the necessary duties needed for our Borough. Mr. Arcangelo feels if the elected officials who have been elected by Borough residents would do their job along with the established committees the need for a Borough manager would not be needed. Mr. Arcangelo stated Council needs to stop bickering amongst themselves for the last three (3) to five (5) years and work together for the better for our Borough. Eloise Butovich, 100 S. Abington Rd. introduced herself to Council stating they had just purchased the property and will be opening a flower shop with a potential cafe. Mr. Rinaldi, Council and the Mayor welcomed her to the Borough and success to her business.

MAYOR'S REPORT: Mayor Barrassé told Council he had been invited to Clarks Summit Borough to see the new police vehicles along with having pictures taken with Senator Marty Flynn and Representative Bridget Kosierowski. Mayor Barrassé cautioned new Council members in making any haste decisions regarding the Borough manager position. Mr. Rinaldi commented asking Mayor Barrassé "how is this relevant to the Mayor?" Mr. Barrassé stated he is making a comment from the Mayor. Mayor Barrassé stated a pressing need right now will be to hiring a DPW employee since we only have one (1) right now. Mayor Barrassé volunteer his services for plowing if a snow emergency happens. Mayor Barrassé welcomed Chief Yarns to speak. Chief Yarns briefly reviewed the monthly police report and reported on the two new police vehicles. Chief Yarns told Council the body cameras will be implemented March 2nd and March 18th to March 24th Aggressive Driving Program will be taking place with the grant obtained through the District Attorney's office.

MOTIONS: Mr. Rinaldi introduced the 2022 Amended Budget stating the only line item added was for the Borough Manager position at \$45,000. Mr. Williams asked if this will be a full-time position. Mr. Rinaldi stated the position may be full or part time depending on the candidate offered the position while noting a budget is just a plan and the cost amount will depend upon who the candidate will be as

well as their experience noting the Borough had a \$61,000 surplus last year. Mr. Toms motioned to adopt the 2022 Amended Budget, seconded by Mr. Egan. Mr. Williams, Mr. Toms, Mr. Egan, Mr. Curran, Ms. Wanchisen and Mr. Rinaldi voted in favor. Mayor Barrasse told Solicitor Weinschenk he would possibly want to veto the legislation. When asked, Solicitor Weinschenk stated his opinion that under the Borough Code the Mayor could veto any legislative action taken by Council. Further the Borough Code allows the Mayor a ten day time period to determine whether to veto legislation Council it is legislative action and has a ten (10) day window to veto the action (motion). Mr. Rinaldi questioned whether a Mayor's ability to veto legislation was limited to Ordinances and asked the Solicitor to provide a written opinion on the issue. Solicitor Weinschenk noted he believed the legislation might require the inclusion of the Borough's millage rate should an increase be necessary due to an additional expense. Mr. Rinaldi asked Mr. Toms to amend his motion to include the 2022 millage rate of 15 mills. Mr. Toms motioned to adopt the 2022 Amended Budget with no increase in Real Estate Millage, seconded by Mr. Egan. Ms. Wanchisen, Mr. Curran, Mr. Toms, Mr. Williams, Mr. Egan and Mr. Rinaldi voted in favor. Solicitor Weinschenk told Council a Special Meeting will need to be called if the Mayor Barrasse decides to veto the motion within the ten (10) day window and Council will need a supermajority vote to override the veto. Mr. Rinaldi noted the need for a special meeting will be an additional advertising cost to the Borough. Mayor Barrasse stated this will not cost the Borough any more money if you recess the meeting. Mr. Rinaldi told Mayor Barrasse scheduling meetings was the prerogative of the Council President and that he would not recess a meeting for ten (10) days and announced a Special Meeting of Council would be held February 28, 2022 at 7:00 PM. Mr. Rinaldi entertained to adopt the new job descriptions for the Borough Manager and Borough Secretary. Ms. Wanchisen motioned and seconded by Mr. Toms. Mr. Toms, Ms. Wanchisen, Mr. Curran, Mr. Williams, Mr. Egan and Mr. Rinaldi voted in favor.

OLD BUSINESS: Mr. Rinaldi asked Mr. Parker to report on the progress of pending Borough Land Development Projects. Mr. Parker referenced his monthly report and asked if anyone had any questions. Mr. Parker proceeded to report about the 100 S. Abington Road reiterating what Ms. Butovich stated about her floral business, Central Park Flowers. Mr. Parker stated the 241-251 East Grove Street project will commence soon since the project has been approved by Clarks Green's Planning Commission along with obtaining the required permits noting the development plans definitely will improve the entering and exiting of the property. Mr. Parker stated the 101 N. Abington Road, Astra Wealth, had the first major inspection under the building code, noting inspection was of structure itself. Mr. Parker stated the contractor will be doing the stonework next week on the building. Mr. Parker gave a quick review concerning SAPA per Mr. Rinaldi's request. Scranton-Abingtons Planning Association collaboration of nine contiguous municipalities: Scranton, Clarks Green, Clarks Summit, Dalton, Dunmore, Newton Twp., South Abington Twp., Waverly Twp. and West Abington Twp. Regional Zoning allows flexibility to share land uses among the participating municipalities. For regional zoning to become effective all nine municipalities must pass their respective new zoning ordinances. Mr. Parker stated Scranton and Dunmore has not adopted the new ordinance noting Scranton possibly may adopt by the end of this month. Mr. Rinaldi stated Scranton has introduced the legislation and that Waverly Township still must act. Ms. Wanchisen asked about the property located across from Saint Gregory's and also the former property owned by Rick Williams. Mr. Parker stated he has not heard or received anything regarding either.

NEW BUSINESS: Mr. Rinaldi asked Council to consider what improvements can be made in the Borough using federal infrastructure funding. Mr. Rinaldi provided as an example the telephone and other wires in the town center relocated underground improving the appearance of our town center. Mr. Rinaldi suggested the Borough hire a consultant who knows about the specific acts and what projects would qualify for the federal funding. Mr. Rinaldi stated it is critical to take advantage of the current funding opportunities. Mr. Rinaldi told Council the Association of Boroughs suggested four (4) recommendations for consultants. Ms. Wanchisen asked if funds can be used for a traffic light at Fairview and N. Abington Road noting it is a horrible intersection along with a message board.

Ms. Wanchisen stated many residents do not know how to use computer and reinstalling the old message board she believes would aid in getting Borough information to our residents noting she believes the Borough is doing a disservice to our residents. Mr. Rinaldi asked Solicitor Weinschenk to explain to Council the effect this Council ratifying its legislative actions in 2022 and possibly the 2021 Council legislation considering the expiration of Act 20 of 2020 last June. Solicitor Weinschenk told Council after Governor Wolf declared an emergency, Act 20 of 2020 allowed Boroughs to meet virtually and when the legislature legislated the end the emergency, the PA Supreme Court affirmed the legislative action June 2021 questions arose as to the legality of was enacted at those meetings. Section 8 of the PA Consolidated Statutes require a physical quorum to legally conduct meetings. As a result, the Borough would need four (4) Council members to establish the quorum. Mr. Rinaldi reminded Council the meetings in January for the Re-organization and the January 2022 Council meetings were held virtually. Solicitor Weinschenk told Council there is concern a third party can question the actions that were taken by Borough council during that time period. Solicitor Weinschenk told Council in his opinion the best course of action would be to ratify all of the actions that had been taken by Borough Council to date since July of 2021. President Rinaldi stated his concerns for the new members of Council participating in any ratification votes since they were not in office until January 2022. Solicitor Weinschenk noted it is not a question that they ratify each individual legislative act because Borough Council enacted in good faith by valid votes of Council. Mr. Rinaldi entertained a motion to ratify the Council's 2022 legislation. Mr. Curran motioned, seconded by Mr. Williams. Mr. Curran, Mr. Toms, Ms. Wanchisen, Mr. Egan, Mr. Williams and Mr. Rinaldi voted in favor. Mr. Rinaldi entertained a motion to ratify the 2021 Council legislation from July 2021 to December 2021. Mr. Williams motioned, seconded by Ms. Wanchisen. Ms. Wanchisen, Mr. Curran, Mr. Egan, Mr. Williams, Mr. Toms and Mr. Rinaldi voted in favor. Mr. Rinaldi asked Solicitor Weinschenk to review the documents from Clarks Summit Borough in regard to join the Regional Police Study Commission. Solicitor Weinschenk stated the circulated pamphlet was issued by DCED regarding the consideration of the police regionalization and the municipalities are required to submit to DCED a letter of intent to join the free study. Solicitor Weinschenk told Council it is not a legal binding obligation but only allows the participating municipalities to explore the feasibility of regionalizing police protection. Solicitor Weinschenk informed Council that Mr. Rinaldi will be the Borough's contact representative to the study commission. Mr. Rinaldi entertained a motion to authorize the execution of the DCED letter of intent for the Regional Police Study commission and authorizing the President of Council to execute the letter of intent. Ms. Wanchisen motioned, seconded by Mr. Toms. Mr. Toms, Mr. Egan, Ms. Wanchisen, Mr. Williams, Mr. Curran and Mr. Rinaldi voted in favor.

TREASURER'S REPORT AND BILL APPROVAL: Mr. Rinaldi reviewed the distributed Budget vs. Actual comparing balances to last month and last year. The Treasurer's report was presented by Mr. Rinaldi and filed for audit. Current fund balances are as follows:

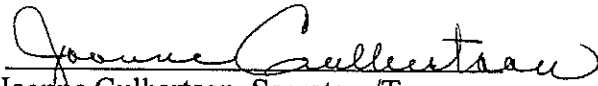
General Fund Checking	\$	413,240.34
Capital Fund Money Market		116,437.94
ARPA Fund Checking		27,955.82
Sewer Fund Checking		424,143.24
Sewer – FNCB CD #200278057		76,897.02
Sewer – FNCB CD #200469681		76,412.18
Sewer – Wayne Bank CD #80021603		53,206.65
Sewer – Wayne Bank CD #80044088		50,000.00
State Funds Checking		<u>121,948.13</u>
Total Checking/Savings	\$	1,360,241.32

Mr. Rinaldi entertained a motion to accept the Treasurer's report and ratify the payment of the bills. Mr. Toms motioned, seconded by Mr. Egan. Mr. Toms, Mr. Curran, Ms. Wanchisen, Mr. Williams, Mr. Egan and Mr. Rinaldi voted in favor.

EXECUTIVE SESSION: Mr. Rinaldi announced Council will be going into Executive Session to discuss the personnel matters particularly the DPW. Session started 8:14 P.M. ending 9:12 P.M.

PERSONNEL: Mr. Rinaldi entertained a motion to amend the February, 16th agenda adding a motion to approve paid vacation time for Kevin Quinn. Mr. Toms, Mr. Curran, Ms. Wanchisen, Mr. Williams, Mr. Egan and Mr. Rinaldi voted in favor. Mr. Williams motioned to approve five (5) days of paid vacation time to Kevin Quinn as a result of separation other than was is stated in the Employee Handbook. Mr. Williams motioned, seconded by Ms. Wanchisen. Mr. Williams, Mr. Egan, Mr. Toms, Ms. Wanchisen, Mr. Curran and Mr. Rinaldi voted in favor.

MOTION FOR ADJOURNMENT: Mr. Rinaldi entertained the motion to adjourn the meeting. Mr. Williams motioned to adjourn the meeting at 9:25 P.M., seconded by Mr. Egan. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
AGENDA
February 16, 2022
7:00 PM

1. Call To Order and Pledge of Allegiance – President Rinaldi
2. Roll Call - Secretary Culbertson
3. Motions to approve the Council Meeting Minutes:
January 17, 2022
4. Public Comment
5. Mayor’s Report.
6. Police and/or Fire Report
7. Motion to adopt 2022 Amended Budget
8. Review of Borough Financials Budget vs. Actual Report and Motion to pay bills. Discussion on Sewer Delinquency collections and potential remedies.
9. Motion to adopt new Job Descriptions for Borough Manager and Borough Secretary.
10. Discussion regarding and ratification of 2022 Council Legislation considering expiration of Act 20 of 2022
11. Discussion regarding and possible ratification of 2021 Council Legislation considering expiration of Act 20 of 2022
12. Consideration of request to join the Regional Police Study Commission and legislation authorizing execution of the DCED letter of Intent.
13. Executive Session to discuss employee compensation on separation from employment
14. Old Business discussion. Zoning Officer report on progress of pending Borough Land Development Projects.
15. New Business discussion. City of Scranton’s use of federal grant funds for street improvements.
16. Motion to approve (5) vacations days for Kevin Quinn.
17. Motion to Adjourn.

NOTE TO VISITORS: Please sign the attendance sheet and indicate if you wish to observe the meeting or to address Council, stating the agenda topic on which you would like to comment. Thank you.